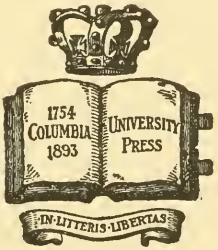
TRANSITION IN ILLINOIS FROM BRITISH TO AMERICAN GOVERNMENT

THE TRANSITION IN ILLINOIS FROM BRITISH TO AMERICAN GOVERNMENT

BY

ROBERT LIVINGSTON SCHUYLER, PH.D.

Instructor in History in Yale University



NEW YORK

THE COLUMBIA UNIVERSITY PRESS

1909

Printed from type April, 1909

THE TUTTLE, MOREHOUSE & TAYLOR COMPANY.

To my Father and Mother.

PREFACE.

The purpose of the following study is to describe the transition from British to American government, which occurred during the period of the Revolution, in that part of the West known as "the Illinois." It will be understood that the word Illinois does not here exactly correspond in territorial extent to the present state of that name. The view presented is that the result of British administration in the West was a decisive factor in the abandonment of that territory, which, of course, included Illinois, by the English ministry in 1782. Therefore a discussion of British policy respecting the West in general forms a suitable introduction to the subject in hand. An attempt has been made to describe conditions in Illinois during the period of British administration, to trace the progress of events which resulted in the overthrow of British rule and the substitution for it of government by one of the American commonwealths, to show the operation of that government, and to explain conditions in the country at the close of the Revolution. The study concludes with a consideration of the peace negotiations of 1782, so far as they relate to the West, as completing the transition of which it treats.

The materials upon which it is based are indicated in the footnotes and bibliography. I desire to express my obligations to Dr. C. E. Carter of Illinois College, who courteously allowed me to examine a part of his manuscript of a work on British administration in Illinois. That monograph has been awarded the Justin Winsor Prize of the American Historical Association for 1908, and will be published in due time. I gladly take this opportunity to record my indebtedness to Professor William R. Shepherd of Columbia University, under whose instruction I began the study of history

some ten years ago. His detailed knowledge of early western history and Spanish colonial policy has rendered his criticisms especially valuable. Professor Herbert L. Osgood of Columbia, also, has read my manuscript and furnished suggestions. The work of Professor Clarence W. Alvord of the University of Illinois on the records of the Illinois villages has, in large measure, made the present study possible. To my father and mother I am under a debt of gratitude of which they and I alone know the extent.

Yale University, April 2, 1909.

CONTENTS.

CHAPTER IV.

THE OVERTHROW OF BRITISH POWER IN ILLINOIS.

CHAPTER V.

HAMILTON AND CLARK.

CHAPTER VI.

ILLINOIS UNDER VIRGINIA, 1778-1783.

CHAPTER VII.

THE PEACE NEGOTIATIONS AND THE WEST.

CHAPTER I—INTRODUCTION.

BRITISH POLICY IN THE WEST.

The expression "the West" is here used specifically to designate the territory between the Alleghanies and the Mississippi, the Great Lakes and the Floridas. This territory did not become important in English colonial history until the eighteenth century. It was included, however, at least nominally, in one or another of the colonial charters which emanated from the English crown in the seventeenth century. By the Virginia charter of 1609 the territory of that province was declared to extend "from sea to sea." The grant made to the New England Council in 1620, the Connecticut charter of 1662, the charter to the Lords Proprietors of Carolina in 1663, and the Georgia charter of later date, contained similar provisions. The Massachusetts charter of 1691 declared that the territory of that province should extend "towards the South Sea, or westward as far as Our colonies of Rhode Island, Connecticut, and the Narragansett country." With the exception of the Georgia grant these charters were issued at a time when the vaguest and most inaccurate ideas prevailed regarding the configuration of the North American continent. The South Sea was supposed to be not very remote from the Atlantic, and the crown was quite ignorant of the real extent of territory embraced in the grants. In many cases they overlapped, and conflicting claims resulted.

During the last quarter of the seventeenth century, the French discoveries and explorations upon which Louis XIV based his claim to sovereignty over the Mississippi valley advanced geographical knowledge and disclosed something of the true extent of the continent. Claimed by France, the West assumed a real importance in the minds of British statesmen.

The small beginnings of English colonial exploration west of the Alleghanies date from the seventeenth century.

The journal of a party of Virginians sent in 1671 to discover "the ebbing and flowing of the water on the other side of the Mountains, in order to the discovery of the South Sea," has been preserved.[1] They probably reached the Kanawha river. In the seventeenth century, also, the possibilities of the fur trade were beginning to be realized, especially in New York. In 1686 traders under license from Governor Dongan went to the Great Lakes.[2]

Governor Spotswood of Virginia took an intelligent interest in the West and understood the danger from the French power in Canada, on the Lakes, and on the Mississippi. He saw that it virtually surrounded the English settlements,[3] and believed that, if unchecked, it could not only monopolize the whole fur trade, but actually conquer the English colonies.[4] In view of this menace he deemed it of the greatest importance that settlements should be made on the Great Lakes, and possession acquired of those passes over the mountains necessary to safeguard communication with them.[5] From what he learned while on an expedition over the Blue Ridge in 1716, he believed that the plan was practicable. Basing himself on the charter of 1609, he asserted that "most of the Lakes and great part of the head branches of Mississippi" were included within the limits of Virginia, while the French settlements on the lower Mississippi fell within the boundaries of South Carolina.[6]

So long as the French power existed in the West the British government was disposed to favor western settlements, to urge that their charters carried the colonies indefinitely westward, and to assert that the French were trespassing on English territory.[7] In 1748, in connection

[1] Fernow, *The Ohio Valley in Colonial Days,* 220 *et seq.*

[2] *Ibid.,* 66-67.

[3] *Collections of the Virginia Historical Society,* new series, II, 329-330.

[4] *Ibid.,* 296.

[5] *Ibid.,* 296-297.

[6] *Ibid.,* 295.

[7] Force, *American Archives,* 4th series, I, 182.

with a proposed grant in the West to the Ohio Company, the Lords of Trade reported that "the settlement of the country lying to the westward of the Great Mountains in the colony of Virginia, which is the center of all His Majesty's provinces, will be for His Majesty's interest and advantage . . . . inasmuch as his Majesty's subjects will be thereby enabled to cultivate a friendship and carry on a more extensive commerce with the nations of Indians inhabiting those parts, and such settlements may likewise be a proper step towards disappointing the views and checking the encroachments of the French."[8] The claim that charters extended the colonies to the South Sea, and the assertion that the French claim to the Mississippi was not just, were made by the president of the Virginia Council in 1749.[9] Governor Dinwiddie in 1756 advanced the most extensive territorial claims for his province. Virginia, he said, was supposed to include all lands west of the Alleghanies between the northern boundary of Carolina and the southern boundary of Canada.[10] He was willing, however, to consider settlements which had been made near the Ohio as "the present boundary to the westward."[11] He was convinced of the necessity of erecting forts as a barrier against the French.[12] Governor Pownall desired the establishment of western colonies for the same purpose.[13] This, also, was, no doubt, the purpose of the recommendation made by the colonial commissioners assembled at Albany in 1754 that measures should be taken for the establishment of Protestant settlements in the West.[14] It was in Franklin's mind when in the Albany Plan of Union he proposed the founding of western colonies.

[8] Fernow, *op. cit.*, 245-246.
[9] *Ibid.*, 259-260.
[10] *Colls. Va. Hist. Soc.*, new series, IV, 339.
[11] *Ibid.*, III, 381.
[12] *Ibid.*, IV, 339.
[13] Pownall, *Administration of the Colonies*, 2d ed., London, 1765; appendix, 47-48.
[14] O'Callaghan, *Documentary History of New York*, II, 356.

Western settlements were favored not only as a barrier against the French, but also because it was believed that they would aid in the development of the fur trade. This feature of western colonization was referred to by Spotswood early in the century. It was dwelt upon by Governor Gooch of Virginia in 1747, in connection with the grant to the Ohio Company, already referred to.[15] Dinwiddie was fully aware of the possible profits of the fur trade, and believed that it would be stimulated by western settlements.[16] But he thought that if the French remained in possession of the Ohio, the English would be entirely deprived of the trade.[17]

The problem which confronted the British government at the conclusion of the Seven Years' War was not easy. By the Treaty of Paris in 1763 Great Britain came into possession of the great peltry-bearing regions, Canada and the West. The belief, indeed, seems later to have been common among her revolted colonists that the desire to control the fur trade had been a leading object of her policy in prosecuting the French war.[18] An immense waste of uninhabited country was a profitable acquisition only by reason of its trade.[19] From this standpoint it was felt by the nation to be an asset of distinct value.[20] The ministry, moreover, had preferred the possession of Canada and the West to that of the French West India islands. For political reasons their choice had to be justified.[21] The new possessions must be made profitable. This could be done only by the monopolization and development of their sole immediate source of wealth, the fur trade. Furs could be secured in large quantities only by traffic with the Indians. They belonged to the class of "enumerated" articles, which could legally be exported from British colonies only to a

[15] Fernow, *op. cit.*, 241.
[16] *Colls. Va. Hist. Soc.*, new series, III, 94-95.
[17] *Ibid.*, 217.
[18] *Collections of the New York Historical Society for 1886, 272.*
[19] *Annual Register for 1763,* 6th ed., 18.
[20] *Ibid.*, 18-19.
[21] *Ibid.*, 19.

British port. If, therefore, the tribes refused to do business with English traders, or if the latter illegally exported their goods to foreign ports, the objects of mercantilist policy would be frustrated. No benefit would be secured by the British treasury, British manufacturers, British shipping interests, or by the consuming public. The possession of the peltry-bearing regions would be of no value.

A tactful and conciliatory attitude towards the Indians became, therefore, a necessary policy for Great Britain. The success of the French traders had been mainly due to their consideration for the savages. Unfortunately, from the British point of view, English traders had long since acquired a bad name with the Indians. This seems to have been chiefly due to the bad character of the average trader.[22] As early as the administration of Governor Spotswood there is evidence that the Indians were being maltreated by English traders.[23] In 1756 Dinwiddie attributed friction with the Indians mainly "to the traders among them, who are the most abandoned wretches in the world, and, in respect to society, as uncivilized as the Indians themselves, and less to be trusted in regard to truth and probity.[24] The Albany commissioners in 1754 dwelt upon the evils of unregulated traffic with the Indians,[25] and Franklin's Plan sought to place Indian affairs under collective control.[26] In the opinion of the commissioners the trade should be made subservient to public rather than to private interests.[27] The abuses practised by traders on the Indians were referred to by Lieutenant-Governor Colden in 1764 as of long standing.[28] The necessity for a comprehensive Indian policy which would remove the evils of unregulated traffic,

[22] *Collections of the New York Historical Society,* Publication Fund Series, IX, 383. For a statement of the reasons for the hostility of the Indians towards the English see Beer, *British Colonial Policy, 1754-1765,* 253, 255.

[23] *Colls. Va. Hist. Soc.,* new series, II, 145.

[24] *Ibid.,* IV, 340.

[25] O'Callaghan, *op. cit.,* II, 355.

[26] *Ibid.*

[27] *Ibid.,* 356.

[28] *Colls. N. Y. Hist. Soc.,* Pub. Fund Series, IX, 383.

and extend British influence over the tribes, was felt several years before the end of the Seven Years' War.[29]

By 1763 British policy regarding western settlements had undergone a decided change. One cause of the previous desire for their establishment no longer existed. The French power having been overthrown, such settlements ceased to be needed as a barrier for protection. The principal motive in causing the government to alter its policy related, however, to the fur trade.[30] Everything that would antagonize the Indians must be avoided.

As early as 1756 Sir William Johnson informed the Board of Trade that the advance of white settlements was an eyesore to the Indians, and "infected them with jealousy and disgust towards the English."[31] The Board showed itself awake to this danger.[32] The probability that advancing settlements would cause trouble with the Indians, and prove injurious to the fur trade, was a commonplace among British officials. "It does appear to us," wrote Hillsborough, president of the Board of Trade, in a well-known report in 1772, "that the extension of the fur trade depends entirely upon the Indians being undisturbed in the possession of their hunting-grounds; and that all colonization does in its nature and must in its consequences operate to the prejudice of that branch of commerce."[33] Towards the close of the war the Board of Trade proposed that the king should issue a proclamation establishing an Indian reservation "within certain fixed bounds," such lands to be reserved for the Indians and for purposes of trade.[34] From the British imperial point of view, then, unrestricted western settlements and unregulated trade with the Indians were evils which must be guarded against.

[29] O'Callaghan, *op. cit.*, II, 401, 409, 454.

[30] *Cf.* Farrand, "The Indian Boundary Line," *American Historical Review,* X, 782 *et seq.*

[31] O'Callaghan, *op. cit.*, II, 419.

[32] *Ibid.*, 453.

[33] For the report see *The Works of Franklin,* Sparks' ed., IV, 303 *et seq.*

[34] *Documents Relative to the Colonial History of the State of New York,* VII, 535-536.

Soon after the Seven Years' War the British government addressed itself to the administration of its new territorial acquisitions. On October 7, 1763, a royal proclamation was issued creating civil governments for the four new British provinces of Quebec, East Florida, West Florida, and Grenada. Under this proclamation civil government was inaugurated in Quebec, the most important of the new provinces, in 1764, and this document served as its constitution till the Quebec Act went into operation in 1775.[35] But the West was not then included within the limits of any province or provided with any form of civil government. It was reserved temporarily for the use of the Indians. In it settlements and individual purchases from the Indians were forbidden, and the governors of the eastern colonies were ordered not to grant warrants of survey, or pass patents for lands beyond the sources of the rivers which empty into the Atlantic. Governors of the new provinces were not to suffer any extension of settlements beyond their respective limits. The serious consequences of Indian hostility were forcibly impressed upon British officials by the uprising associated with the name of Pontiac. It was constantly asserted in the English newspapers that this uprising had been caused by maltreatment of the Indians.[36] Had an attempt been made in 1763 to extend civil government over the West, the result might have been disastrous. If the English were to enjoy profits from the fur trade, if the possession of the West was to be made lucrative, measures of conciliation were imperative. This consideration, it is believed, explains to a large extent those parts of the proclamation which relate to the West and to the Indians. The proclamation attempted, moreover, to prevent the evil consequences of unregulated traffic with the savages. Trade was declared to be open upon license to all British subjects. But traders were required to give security that they would observe such regulations as the crown or its

[35] Coffin, "The Province of Quebec and the Early American Revolution," *Bulletin of the University of Wisconsin,* Economics, Political Science and History Series, I, 275-277.

[36] *Colls. N. Y. Hist. Soc.,* Pub. Fund Series, IX, 270.

commissioners might make. The proclamation was thus an outgrowth of British experience and policy.

It had, however, other objects than those which pertained to the Indians and to the fur trade. In the report referred to, Hillsborough mentions as purposes of the proclamation, "the confining the western extent of settlements to such a distance from the seashore as that those settlements should be within reach of the trade and commerce of this kingdom . . . . and also of the exercise of that authority and jurisdiction which was conceived to be necessary for the preservation of the colonies in a due subordination to and dependence upon the Mother Country." According to Dartmouth, it was the invariable policy of the government to prevent settlements where they would provoke the Indians, and where the settlers would be beyond the reach of British control and protection.[37] Grenville's view, as given by Franklin,[38] that the king's purpose would be accomplished as soon as the western lands were properly purchased from the Indians, seems improbable. A possible purpose of the proclamation in restricting settlements was to discredit the charter claims of the colonies to the West. It was coming to be felt that imperial interests demanded an abridgement of these indefinite and often conflicting claims, but no certainty was yet felt as to where the western boundary of the colonies should be established.[39]

Hillsborough thought that the proclamation line, that is, the Alleghany watershed, should be permanently maintained as the western limit of colonial settlements,[40] but the government did not follow this policy. The proclamation line, confessedly temporary, involved a restriction of settlements, but did not establish an ultimate boundary.[41]

[37] *Collections of the Massachusetts Historical Society*, 4th series, X, 725.

[38] *Works of Franklin*, Sparks' ed., IV, 339-340.

[39] *Annual Register for 1763*, 20-21.

[40] O'Callaghan, *op. cit.*, II, 577.

[41] Attempts were later made to show that the proclamation made the Alleghanies the western boundary of the Atlantic colonies. *Cf.* Sparks, *Diplomatic Correspondence of the American Revolution*, VIII, 156-160; *Correspondence and Public Papers of John Jay*,

Washington's view that it was a temporary expedient to quiet the Indians, which did not extinguish the claims of the colonies to the West, probably represents the better type of colonial opinion on the subject. He thought that the restriction of settlements would be removed when the Indians consented to the occupation of their lands.[42] There is abundant evidence that the colonies were considered by good authority to extend west of the Alleghanies after 1763.[43] The Board of Trade, it is true, advocated in 1768 a permanent boundary line between the colonies and the western Indians,[44] but it does not seem to have been the policy of the government permanently to reserve the whole territory between the Alleghanies and the Mississippi for the use of the Indians, as Burke in a rhetorical flourish implied.

After the Treaty of Fort Stanwix in 1768, by which the Six Nations ceded to the crown their claim to lands south of the Ohio as far as the Tennessee river, then called the Cherokee,[45] the government was willing to allow settlements under authority of Virginia west of the Alleghanies. By the Treaty of Lochabor in 1770, it was stipulated that settlements under Virginia should be bounded on the west by a line from the mouth of the Kanawha to some point on the northern boundary line of North Carolina.[46] This new line was, of course, much further west than the line of 1763. Dunmore favored settlements even beyond the new line, but was instructed not to allow them.[47]

It is probable that but for the outbreak of the Revolution new colonies would have been established in the West under

Johnston's ed., II, 390; *Works of Franklin,* Sparks' ed., IV, 324, 367; *Writings of Thomas Paine,* Conway's ed., II, 52.

[42] *Writings of Washington,* Ford's ed., II, 396, and *Maryland Historical Society,* Fund Publications, No. 11, 73.

[43] *Archives of Maryland,* XIV, 381, 479; O'Callaghan, *op. cit.,* II, 577.

[44] *Docs. Rel. Col. Hist. St. of N. Y.,* VIII, 22.

[45] For the treaty see *ibid.,* 111 *et seq.*

[46] O'Callaghan, *op. cit.,* II, 543. *Colls. Mass. Hist. Soc.,* 4th series, X, 725-726.

[47] *Ibid.,* 726-727.

royal charters. Both in the eastern colonies and in England a growing interest was felt in the country beyond the mountains. George Croghan, Sir William Johnson's deputy, who was in London in 1764, reported that, at that time, there was talk of the establishment of a colony near the mouth of the Ohio.[48] Proposals were later made looking towards the founding of colonies in Illinois, at Detroit, and at the mouth of the Ohio, but the Board of Trade opposed these schemes, and they were dropped.[49] One reason for the Board's opposition was that such colonies would be injurious to the fur trade.[50] That the Board was willing, however, to open up portions of the West for settlement is shown by the proceedings relating to the proposed colony of Vandalia.[51] This project encountered much opposition. Hillsborough's attitude is well known. He felt that it was opposed to all sound policy.[52] Dunmore had written to him that a colony at such a distance could benefit neither the eastern colonies nor England. No commercial communication with it would be possible. Emigration thither, said Dunmore, would reduce the value of lands in the eastern colonies. The establishment of the colony, moreover, would probably involve an Indian war.[53] Nevertheless the Board approved the petition for the Vandalia grant,[54] and the charter had all but passed the seals, when political agitation in the colonies made it expedient to pause. Care, however, had been taken to establish such boundaries for the proposed colony as would not offend the Indians.[55] It is altogether unlikely that the government would have allowed western settlements to

[48] Fernow, *op. cit.*, 177-178.

[49] *Ibid.*, 181, and Alden, "New Governments West of the Alleghanies before 1780," *Bul. Univ. of Wis.*, Ec., Pol. Sci. and Hist. Series, II, 17-19.

[50] *Docs. Rel. Col. Hist. St. of N. Y.*, VIII, 27 *et seq.*

[51] For the Vandalia proceedings see Alden, *op. cit.*

[52] *Works of Franklin*, Sparks' ed., IV, 303 *et seq.*

[53] Fernow, *op. cit.*, 276-277.

[54] O'Callaghan, *op. cit.*, II, 578 *et seq.*

[55] *Colls. Mass. Hist. Soc.*, 4th series, X, 726.

interfere with the fur trade. The sentiment expressed in Hillsborough's report continued by many of the British to be regarded as the proper solution of the problem: "Let the savages enjoy their deserts in quiet. Were they driven from their forests, the peltry trade would decrease." A distinction has been suggested between the territory north and that south of the Ohio. It may have been the government's policy permanently to reserve the former for the Indians.[56]

On the eve of the Revolution an attempt was made to establish a new settlement in the nature of a commonwealth in that part of the Northwest claimed by Connecticut. On April 2, 1774, Pelatiah Webster of Philadelphia, who understood the potential value of the West and prophesied that its population would in the future control the continent, wrote to Silas Deane of Connecticut, pointing out the importance of the territory near the Great Lakes which was claimed by Connecticut.[57] At about the same time Deane, who had already become interested in the West, wrote to Ebenezer Hazard of New York and Samuel H. Parsons of Philadelphia, who were likewise interested.[58] In the letter to Parsons, he suggested a settlement on the southwest corner of Lake Erie or on the Mississippi. It would be secure, he thought, whatever the result of the dispute between England and the colonies. If arbitrary measures were pursued, many would flee to this new asylum. In the same year Hazard, Parsons, and Deane formed an association, the rules of which were drawn up by Hazard. To this others were to be admitted on payment of a small sum. The money raised was to be used to purchase from the Connecticut Assembly a quitclaim or release of all the rights of that colony to lands between the western boundary of Pennsylvania and the Mississippi. Every member was to be entitled to one two-thousandth of the lands granted by

[56] Coffin, *op. cit.*, 428-429.

[57] Hinman, *A Historical Collection from Official Records, Files, etc., of the Part Sustained by Connecticut during the War of the Revolution*, 536.

[58] *Collections of the Connecticut Historical Society*, II, 131-133.

Connecticut to the association. Each was to pay his share for defending the claim under authority of that colony if it should be disputed, and to contribute his proportion of money necessary to purchase the Indian title and to make a settlement. Hazard, who was prepared to invest heavily, went to Hartford in 1774 to procure the quitclaim, but his petition was rejected[59] and the plan collapsed. The interest of these men in the West, however, continued, and Deane was one of the first of the revolutionists to advocate Congressional control over it.[60]

The year which witnessed this unsuccessful attempt at western colonization marked the passage by Parliament of the Quebec Act, which involved the most serious attack ever made by the British government on charter claims to the West. The act included all the Northwest, between the Ohio, the Great Lakes, and the Mississippi in the government of Quebec. The main purpose of this extension of the limits of that province will be discussed later. It had the effect, of course, of nullifying all charter claims of the eastern colonies to this territory. As was foretold by the Opposition in the House of Commons, the bill angered the colonists. Though it was not necessarily connected with the coercive acts affecting Massachusetts passed at the same session of Parliament, the most unfavorable interpretation was placed upon it in the colonies. The Continental Congress declared it to be a violation of colonial rights and demanded its repeal.[61] An unsuccessful attempt was made in the Lords the following year to secure this. The act was said to have unduly extended the limits of Quebec and prevented the expansion of the eastern colonies.[62] Since, however, it constituted one of the grievances of the revolutionist party, its nullification of colonial claims to the Northwest was by them considered invalid.[63]

[59] *Colls. Conn. Hist. Soc.*, II, 133-134.

[60] *Colls. N. Y. Hist. Soc. for 1886*, 383-385.

[61] Force, *Am. Archives*, 4th series, I, 912.

[62] *Ibid.*, 1823-1824, 1826.

[63] Sparks, *Diplomatic Correspondence of the American Revolution*, III, 268 *et seq.*

During the Revolution, therefore, the states continued to assert claims to this territory on the basis of their old colonial charters.

By many of the colonists, and especially by the frontiersmen, the proclamation of 1763 had been regarded as an unjust attempt to deprive them of lands for which they had fought. Its restrictive policy furnished one of the counts which were later made against the home government by the revolutionists.[64] The character of the American frontiersmen was such that they could not be restrained from hunting and building cabins in the forbidden territory.[65] Even the recollection of the horrors of Pontiac's War did not deter them.[66] Among the squatters were men of low character who persisted in selling rum to the savages.[67] The imperial machinery for enforcing the proclamation was wanting. British sovereignty in the West, it is true, was represented by garrisons stationed at a few posts on the Great Lakes and on the Mississippi, and the suggestion was made that these forces should be employed to punish squatters and destroy their cabins.[68] But the number of troops in the West was quite inadequate to perform this work. Some of the governors, indeed, seem to have conscientiously tried to prevent illegal settlements.[69] But many officials took a lax view of their duties.[70]

Friction with the western tribes caused by these violations of the proclamation was justly regarded as a matter of imperial concern, since it was likely to involve a general Indian war. Sir William Johnson warned General Gage of the danger of the continued illegal settlements and

[64] *Colls. N. Y. Hist. Soc. for 1886*, 270.

[65] For evidence of the violation of the proclamation see *Archives of Md.*, XIV, 468, and *Writings of Washington*, Ford's ed., II, 221, note.

[66] *Archives of Md.*, XIV, 211.

[67] O'Callaghan, *op. cit.*, II, 503.

[68] *Archives of Md.*, XIV, 362.

[69] *Ibid.*, 199, 362.

[70] Wharton, *Revolutionary Diplomatic Correspondence of the United States*, V, 88; *American State Papers*, "Public Lands," II, 208.

trade.[71] In 1766 the latter, then commander-in-chief of the British forces in North America, was instructed to coöperate with the civil power in enforcing the proclamation; and colonial officials were urged to take every measure to remove squatters and to conciliate the Indians.[72]

In the administration of the West the policy of Great Britain continued to be determined by the fur trade. To develop this at the least expense, as advocated by Gage,[73] represented the attitude of the government. To prevent unlicensed trading and smuggling in this vast territory, the police power which the few troops in the West could exercise was so inadequate as to be virtually negligible. The results of these conditions, so far as they relate to Illinois, will be considered in the next chapter.

Pontiac's War did not make the Indians more inclined to trade with the English. Their preference to do business with the French who remained in the Northwest after 1763 was known to British officials.[74] It was hoped, however, that the establishment of British garrisons at the western posts would do something to destroy French influence.[75] In the Northwest, competition between French and English traders was sharp, and the former, many of whom carried on unlicensed trade, enjoyed an advantage in the goodwill of the Indians, and were able to go freely among the tribes where Englishmen were not suffered. In short, the area of English trade, as compared with the French, was restricted, and mainly confined to the established posts.[76]

But more important from the British standpoint was the attitude of the English traders themselves. The natural emporium for the commerce of the Mississippi valley was New Orleans. La Salle had first developed a plan to ship furs to Europe from the upper Mississippi down the river,

[71] O'Callaghan, *op. cit.*, II, 498, 503.

[72] *Archives of Md.*, XIV, 328-329, and *Colls. Mass. Hist. Soc.*, 4th series, X, 655.

[73] Gage to Hillsborough, 10 Nov., 1770, Carter, MSS. *Thesis.*

[74] O'Callaghan, *op. cit.*, II, 476; *Colls. N. Y. Hist. Soc.*, Pub. Fund Series, IX, 443.

[75] O'Callaghan, *op. cit.*, II, 476.

[76] *Ibid.*, 551, and Carter, *op. cit.*

instead of by way of the St. Lawrence.[77] This port, however, was in the possession of a foreign power, and hence all shipments of fur to it were illegal. General Gage thought that, while some British manufactures might be disposed of in the West, so long as furs commanded a high price in the New Orleans market, no peltry exchanged for those manufactures would ever reach a British port.[78] His observations induced him to believe that the Indian trade would "always go with the stream." It would all go either down the Mississippi or down the St. Lawrence.[79] Sir William Johnson shared Gage's views.[80] Unless the natural course of western trade could be diverted from New Orleans up the Ohio, or down the St. Lawrence, British possession of the West would be a flat failure.

In order to check smuggling and enforce payment of the duties various measures were suggested. Colden outlined a plan to the Board of Trade in 1764. In his opinion the export duties on peltry ought to be paid in kind at a fixed rate at the posts where the furs were procured. A certificate of the duty paid should be carried with every pack of peltries and finally lodged in the customhouse of the port from which they were exported. The goods thus paid in kind as duty should be sent once a year to the customhouse and sold at public vendue. This method, Colden thought, would effectually prevent evasions of the duty.[81]

Sir William Johnson thought that illicit traffic with New Orleans might be prevented, if the northern trade were strictly confined to the posts in communication with the Great Lakes. In that way, he thought, the furs would go down the St. Lawrence. As for the trade of the Mississippi, it might be possible to divert that from New Orleans to the British province of West Florida, where French traders were known to be well supplied with goods for barter.[82]

[77] Winsor, *The Mississippi Basin*, 21.
[78] O'Callaghan, *op. cit.*, II, 485, 486.
[79] *Ibid.*, 486.
[80] *Ibid.*, 488.
[81] *Colls. N. Y. Hist. Soc.*, Pub. Fund Series, IX, 384.
[82] O'Callaghan, *op. cit.*, II, 488.

Gage believed that the traders ought to be restrained by law. The only way to enforce regulations, in his opinion, was to invest the officers commanding at the several posts with judicial power to see that they were put in operation. Something could be done, he thought, by erecting posts at the mouths of the Ohio and Illinois and preventing all boats from descending those rivers. The establishment of an adequate number of posts and forts, however, would be difficult and expensive.[83] Hillsborough expressed the same opinion.[84]

A possible means of preventing smuggling lay in the capture of New Orleans from the Spaniards. If this became an English port, the problem of western trade would be solved. At the time of the dispute between Spain and England over the Falkland Islands, when war seemed likely, Hillsborough instructed Gage to mobilize an army and prepare to attack New Orleans by way of the Ohio and Mississippi.[85] But the controversy was settled without war, and New Orleans was not molested.

By 1767 officials most conversant with conditions in the West had concluded that British possession of that territory would be unprofitable unless the illicit New Orleans trade could be prevented.[86] "If our traders do not return with the produce of their trade to the northward provinces by way of the Ohio or the Lakes," wrote Gage, "it will not answer to England to be at much expense about the Mississippi."[87] By 1770, Hillsborough had entirely abandoned hopes of immediate commercial benefit from the West.[88] It is significant that the possession of the West has never been profitable to any European nation.[89]

[83] O'Callaghan, *op. cit.*, II, 486, 488.

[84] Hillsborough to Gage, 31 July, 1770, Carter, *op. cit.*

[85] Public Record Office, *Am. and West Indies,* vol. 127, Carter, *op. cit.*

[86] O'Callaghan, *op. cit.*, II, 486, 499.

[87] *Ibid.*, 485.

[88] Hillsborough to Gage, 31 July, 1770, Carter, *op. cit.*

[89] Shepherd, "The Cession of Louisiana to Spain," *Political Science Quarterly,* XIX, 439, 452.

CHAPTER II.

ILLINOIS UNDER GREAT BRITAIN.

As a geographical expression in common usage "the Illinois" referred to a part of the territory which had been ceded by France to England at the close of the Seven Years' War. Under French rule it had formed a district of the province of Louisiana, and then included territory on both sides of the Mississippi between the lines of the Illinois and Ohio rivers.[1] After the Seven Years' War the part west of the Mississippi was known as Spanish Illinois, since it was included in the territory ceded during the war by France to Spain.

British Illinois itself was regarded as bounded by the Illinois river on the north, the Wabash on the east, the Ohio on the south, and the Mississippi on the west.[2] It included the central and southern part of the present state of Illinois, and some of northwestern Indiana. In the following narrative frequent mention will have to be made of the Wabash posts, particularly Vincennes, and though not usually considered as part of Illinois, they will here be treated as such.

There was a considerable decrease of the white population in eastern or British Illinois following the cession of the country to England in 1763, and many French creoles, preferring Spanish to British government, crossed the Mississippi into Spanish territory. St. Louis, founded by Laclede in 1764, as a post for the Missouri river trade, though in Spanish territory, remained under the control of Laclede and a French successor till 1770, when the first Spanish commandant arrived. This post and its neighbor-

[1] Alvord, "Illinois in the Eighteenth Century," *Bulletin of the Illinois State Historical Society*, I, No. 1, 8.

[2] Pittman, *Present State of the European Settlements on the Mississippi*, reprint of the original edition, London, 1770; Hodder's ed., 99.

ing settlements gained much in population from the emigration of the French from British Illinois. Laclede desired to make St. Louis a refuge for them, and later the Spanish authorities offered inducements to attract immigrants.[3] Another reason for this emigration from British Illinois may have been the attitude of the Indians, who appear to have become lawless after the removal of French control.[4] The exodus alarmed British officials, who feared that the Spanish villages would monopolize the Mississippi trade.[5] The decrease in the population was partly offset, however, by the entrance into the country of eastern traders and land speculators.

Throughout the British period the French inhabitants, scattered among several villages, remained the largest element in the population. The seat of government under the French, and under the British till 1772, was Fort Chartres on the Mississippi, reputed "the most commodious and best built fort in North America."[6] In 1772 it was so badly damaged by the waters of the Mississippi that it was abandoned, and thenceforth Kaskaskia, situated on the river of that name, about six miles above its confluence with the Mississippi, became the military and governmental capital of British Illinois.[7] It was the most important village. At the beginning of the period of British occupation it contained, however, only about fifty families,[8] besides slaves and a few transient merchants. Prairie du Rocher, about seventeen miles north of Kaskaskia, at this time boasted of only twelve dwelling houses, while farther north St. Philippe was practically deserted. Still farther north

[3] Chittenden, *Fur Trade in the Far West,* I, 100, 102; Houck, *History of Missouri,* I, 302, 304.

[4] *Transactions of the Illinois State Historical Society for 1907,* 204.

[5] Fernow, *op. cit.,* 179.

[6] Pittman, *op. cit.,* 89.

[7] *Collections of the Illinois State Historical Library,* I, 291. For the history of Fort Chartres see Mason, *Chapters from Illinois History,* 212-249.

[8] *Trans. Ill. St. Hist. Soc.,* 1907, 217.

was Cahokia, situated on the Mississippi about eighteen miles south of the mouth of the Missouri. Though smaller than Kaskaskia, it was important for its Indian trade.[9] On the lower Wabash was the village of Vincennes, with a population probably somewhat larger than that of Kaskaskia.[10] It, too, was an important post, since it was on the chief commercial route between Canada and Illinois.[11] Farther north on the Wabash was the small trading station of Ouiatanon. There were one or two small posts, also, on the Illinois river.

A recent writer on Illinois history places the number of whites in the villages near the Mississippi at the close of the British period at something less than one thousand.[12] Dwelling in the neighborhood of Kaskaskia and Cahokia were some four or five hundred Indians, regarded as more or less debauched and degenerate.[13] Along the Wabash dwelt the brave and warlike tribes of the Kickapoos, Piankeshaws, and Menomenies.[14] There were also some negro slaves in Illinois, especially in Kaskaskia.[15] The large extent of territory, and the small number of settlements, are thus facts of cardinal importance in a study of this country.

The chief occupations of the people were trade, hunting, and agriculture. The only place where agriculture was pursued to any extent was Kaskaskia. The land along the Mississippi, from the mouth of the Kaskaskia to that of the Missouri, was and is exceedingly fertile, since it receives the alluvial deposits washed down by the Missouri. The soil yielded all kinds of European grains and fruits,

[9] For a description of these villages see Pittman, *op. cit.*, 84-94. For their populations in 1765, see *Trans. Ill. St. Hist. Soc.*, 1907, 217.

[10] Fernow, *op. cit.*, 180.

[11] Benton, "The Wabash Trade Route in the Development of the Old Northwest." *The Johns Hopkins University Studies in Historical and Political Science*, XXI, 7.

[12] Alvord, *Colls. Ill. St. Hist. Lib.*, II, xv.

[13] *Ibid.*, xvi; Pittman, *op. cit.*, 97.

[14] *Michigan Pioneer and Historical Society Collections*, III, 16.

[15] *Colls. Ill. St. Hist. Lib.*, II, xlviii.

and some produce had been shipped from Kaskaskia to New Orleans during the French period.[16] The creoles, however, judged by English colonial standards, were not enterprising agriculturists.[17] The excitement of the fur trade and of the chase exercised greater fascination over their minds than the routine pursuits of the farm. Most of them belonged to the "habitant" or "coureur de bois" classes, resembling in all essentials their Canadian brethren familiar to us in the pages of Parkman. They had come mainly from Canada, few from New Orleans and the lower Mississippi.[18] The social classes and distinctions of the old world were not, of course, reproduced in Illinois, but neither was there the complete social equality that existed among the American backwoodsmen. There were some prosperous and educated men, traders and landowners, who constituted the natural aristocracy of the country. The lower classes, no doubt, were illiterate and superstitious,[19] but less brutal than the American frontiersmen.

Accustomed as they had been to despotic rule, the people of Illinois were wholly unversed in the practices of self-government and unfitted for the acceptance of democratic institutions. While France held the country, they had been happy under the absolutism of their commandant, and the spiritual domination of the Jesuit priest, the most venerated man among them. At the close of the Seven Years' War they saw themselves abandoned by their king, but they did not cease to love him. They never, indeed, felt any attachment for the new government, which they always regarded

[16] Thwaites, *France in America,* 85. Collins, "History of Kentucky," R. H. Collins' ed., I, 15.

[17] *Mich. P. Colls.,* X, 266. For an account of the agricultural possibilities of Illinois, as well as of the unenterprising character of the people, see a pamphlet written by a Kaskaskian, published in Philadelphia, in 1772. It is reprinted in Alvord and Carter, *Invitation Serieuse aux Habitants des Illinois,* by [sic] *Un Habitant des Kaskaskias.*

[18] *Colls. Ill. St. Hist. Lib.,* II, xvii, note 2.

[19] Alvord and Carter, *op. cit.,* 15.

as a "foreign yoke."[20] They hoped that they would some day be restored to France, but their habits of obedience were such that they never organized a revolt.

The uprising of Pontiac, following the war with France, postponed the occupation of the country by British forces till 1765. It was believed by some that the Indian parties which ravaged the colonial frontiers during Pontiac's War were supplied with ammunition by the French at Fort Chartres.[21] The French in Illinois were supposed to be reaping great profit from their trade with the Indians,[22] and it was expected that they would not give up the country without a struggle.[23] It was regarded as very important that the influence exerted by them over the Indians should be brought to an end,[24] and it was hoped that the British occupation of the country would accomplish this result.[25] Sir William Johnson considered Fort Chartres an important settlement for purposes of trade,[26] and Colden thought it necessary that a British post should be maintained there.[27]

In 1765 the last French commandant at Fort Chartres formally surrendered the post to his British successor.[28] Thereafter, until the whole Northwest had been joined by the Quebec Act to the province of Quebec, the troops at Fort Chartres, and later at Kaskaskia, represented the British government in Illinois. The local commandant, subject to the commander-in-chief of the British forces in North America, ruled the country as despotically as his French predecessor had done.[29]

[20] *"An Address to Congress from the French Inhabitants of Post Vincennes, Kaskaskia," etc., 1788;* Papers of the Continental Congress, Library of Congress.

[21] *Colls. N. Y. Hist. Soc.,* Pub. Fund Series, IX, 336.

[22] *Ibid.*

[23] *Ibid.*

[24] *Ibid.,* 443.

[25] O'Callaghan, *op. cit.,* II, 476.

[26] *Ibid.,* 478.

[27] *Colls. N. Y. Hist. Soc.,* Pub. Fund Series, IX, 380.

[28] *Trans. Ill. St. Hist. Soc.,* for 1907, 211; Mason, *Chapters from Ill. Hist.,* 235.

[29] Pittman, *op. cit.,* 88.

As soon as Illinois passed under British control, eastern colonists were attracted thither by the alluring prospects of fur trade and land speculation. A new element was added to the population. Communication was established between the eastern colonies and Illinois.[30] The easiest and most customary route was from Fort Pitt down the Ohio,[31] and boats were kept on that river to maintain communication.[32] Another possible route was by Lake Erie, up the Maumee, and down the Wabash to the Ohio.[33] The all-water route by New Orleans was too long and expensive to be followed. Eastern firms, anxious to participate in the profits of the fur trade, established branches in the French villages and sent out agents. Speculation in Illinois land proved equally congenial to their commercial instincts. Land companies were formed and several tracts were bought from the northwestern tribes. In 1773, apparently with the consent of Captain Lord, then British commandant at Kaskaskia, the Illinois Land Company purchased a large tract from the Indians. Another extensive purchase was made in 1775 by the Wabash Land Company, in which Lord Dunmore, then governor of Virginia, was interested.[34] These purchases, in violation of the proclamation of 1763, were, of course, illegal. Consequently some of them were annulled by General Gage.[35] The military authorities, indeed, made a genuine effort to force the traders to deal fairly with the Indians;[36] and their attitude discouraged similar enterprises. The incorporation of the Northwest into the province of Quebec tended to lessen communication between Illinois and the eastern colonies. But, although the number of eastern traders declined after the Quebec Act went into operation in 1775, some remained. They played

[30] Alvord and Carter, *op. cit.*, 7-8.

[31] *Colls. N. Y. Hist. Soc.*, Pub. Fund Series, IX, 381.

[32] *Colls. Mass. Hist. Soc.*, 4th series, X, 724.

[33] *Colls. N. Y. Hist. Soc.*, Pub. Fund Series, IX, 381.

[34] *American State Papers*, "Public Lands," I, 27.

[35] *Colls. Ill. St. Hist. Lib.*, II, xxx; *Report on Canadian Archives*, 1885, 201.

[36] *Ibid.*, 213; *ibid.*, 1886, 512.

a part in Illinois history before the Revolution similar to that played in Canada by the "old subjects," as the English inhabitants of the province were called, in distinction to the French, the "new subjects." In Illinois, as in Canada, this class was in the main in sympathy with the spirit which, in the eastern colonies, was soon to break out in open revolt. Their opposition to the military government can be explained partly by the fact that it stood for the principles of the proclamation of 1763, which conflicted with their trading and speculating enterprises. In Canada, the "old subjects" clamored for an assembly.[37] In Illinois, the easterners protested against the evils of military and urged the establishment of civil government.[38] A memorial was submitted in 1770 by Daniel Blouin, a French creole, setting forth the disadvantages of the military régime, and requesting the establishment of a civil government like that enjoyed by Connecticut. It was probably inspired, however, by English colonial merchants and traders in the country. Gage regarded Blouin not as a representative of the people of Illinois, but as a mouthpiece of the "republican" faction there.[39] The majority of the French inhabitants of Canada certainly did not desire the establishment of an assembly, and it could hardly be supposed that the Illinois French would demand one. The attempt to secure civil government at this time failed.[40] The easterners, however, exercised an importance out of proportion to their numbers, for they were more intelligent, shrewd and enterprising than most of their creole neighbors. Their presence in Illinois during the decade 1765-1775 made possible correspondence between that country and the Atlantic colonies, and prepared some, at least, of the inhabitants for the reception of American ideas, and, if they should come, of American troops.[41]

[37] Coffin, *op. cit.*, 319.
[38] Alvord and Carter, *op. cit.*, xviii.
[39] *Rept. on Can. Archives,* 1884, 61.
[40] Alvord and Carter, *op. cit.*, xxiii.
[41] *Colls. Ill. St. Hist. Lib.,* II, xxxi.

Most of the opposition to the government of Illinois during the decade of military rule emanated from the English-speaking element. In 1765 Captain Stirling, the first British commandant, brought a proclamation from General Gage which served as a sort of constitution for ten years.[42] By the terms of this the liberty of the Catholic religion was granted to the inhabitants of Illinois, as it had been granted to those of Canada; all who chose were allowed to leave the country, and those who remained and became British subjects were to enjoy all the rights and liberties of the king's "old subjects." They were required to take an oath of fidelity and obedience, and to assist the British troops to take peaceable possession of the country.

The task of the military commandant during the British period was evidently difficult. He was called upon to preside over the old French and the new English inhabitants of Illinois, two classes as inharmonious as could be imagined. The French had knowledge only of their own law, the "coutume de Paris." The easterners desired the establishment of English judicial institutions. In November, 1768, a court on the English model was set up at Fort Chartres, consisting of seven judges, with civil jurisdiction. Juries were not employed.[43] At first, the majority of the judges were eastern colonists who had recently come into the country. Soon, however, the majority were French, but the court continued to be presided over by one of the most influential of the eastern traders, and it became the mouthpiece of the faction which was opposed to the military régime. In 1770, it ventured to protest against the arbitrary actions of the commandant, Colonel Wilkins, who responded by dissolving it.[44] The origin of an anti-governmental party in Illinois during the period of British rule, therefore,

[42] *Am. St. Papers,* "Public Lands," II, 209; or Brown, *History of Illinois,* 212-213.

[43] Alvord, *Illinois in the Eighteenth Century,* 21. The colonial French seem always to have been opposed to juries; see Force, *Am. Archives,* 4th series, I, 189.

[44] Alvord and Carter, *op. cit.,* xix.

is traceable to the presence of this eastern element. Most of the influential French inhabitants, though not all, were passively on the side of the government. Gabriel Cerré, for example, who was decidedly the leading merchant of Illinois, supported it.[45] According to the testimony of Captain Lord, the people in general were opposed to the establishment of civil government.[46]

Throughout the period, conditions on the Wabash were little short of anarchical. It was felt necessary that some government should be established there,[47] but no official came to exercise authority till 1777.[48]

The failure of British administration in the West has already been discussed, and its causes shown. The government hoped that the former commercial intercourse between Illinois and New Orleans would be terminated, and that the Illinois trade would be turned up the Ohio, by which channel it would reach the eastern colonial ports. But the English traders in Illinois followed lines of least resistance and greatest profit. They sent their furs to New Orleans, because it was far easier than to ship them to New York or Philadelphia, and because prices were higher than in English colonial markets. Gage was aware of this contraband trade as early as 1766.[49] It was his opinion that practically no peltries from Illinois reached eastern ports, that none ever would which passed through New Orleans, and that nothing but force or greater profits could change the natural course of trade.[50] It was estimated by a contemporary that between 500 and 1,000 packs of peltries were shipped annually from Illinois to New Orleans.[51] The Missouri river trade, moreover, which, during the French period, had centered at Cahokia, was now diverted to the Spanish posts across the Mississippi.

[45] *Trans. Ill. St. Hist. Soc.*, 1903, 275 *et seq.*
[46] *Rept. on Can. Archives*, 1886, 519.
[47] Fernow, *op cit.*, 181.
[48] *Colls. Ill. St. Hist. Lib.*, I, 313.
[49] Carter, *op. cit.*
[50] *Ibid.*
[51] *Ibid.*

In 1768 Captain Forbes, then commandant at Fort Chartres, made an effort to prohibit the New Orleans trade by forcing traders to give a bond of £200 to ship their furs to a British port,[52] but he was unable to stop the illicit traffic. Sir William Johnson, in 1767, complained of the expense involved in the administration of Illinois, which, he said, was vastly more than he had expected.[53]

The British government came to feel that the Northwest must be annexed to some province.[54] Some provision had to be made for the French villages.[55] To leave them without any government, or to establish separate colonies for them, was felt to be unwise.[56] Political considerations made it inadvisable to join that area to any of the eastern colonies, for this was the era of the Boston Tea Party and the Committees of Correspondence. It seemed most expedient, therefore, to annex it to the province of Quebec. This, according to Lord North, was the motive of the Lords in passing the Quebec Bill.[57]

The province of Quebec, including the whole Northwest, as established by the act of 1774, was a crown colony, with a governor and legislative council appointed by the king.[58] On account of the small number of English inhabitants no provision was made for an assembly.[59] General Guy Carleton, who had been serving as governor of Quebec, was retained in office. The chief post in the "upper country," as the Northwest was called by the authorities at Quebec, was Detroit. Subordinate to Carleton, Lieutenant-Governor Henry Hamilton was sent to take command of that post, where he arrived in November, 1775.[60] The Quebec Act, however, made little change in the govern-

[52] Carter, *op. cit.*
[53] O'Callaghan, *op. cit.*, II, 499.
[54] *Rept. on Can. Archives,* 1884, 59, 61; *ibid.,* 1885, 232.
[55] *Annual Register,* for 1774, 76.
[56] Force, *Am. Archives,* 4th series, I, 181.
[57] *Ibid.*
[58] Coffin, *op. cit.*, 278.
[59] *Parliamentary History of England,* XVII, 1358.
[60] *Mich. P. Colls.,* X, 265.

ment of Illinois, and the troops were retained there until 1776.

The American invasion of Canada in 1775, and the subsequent course of the Revolution, made it impossible for the Quebec authorities adequately to provide for the government and defense of the whole province. Though Carleton always sought to keep himself informed of general, and particularly of military conditions in the Northwest, the posts in that territory were left largely to their own resources and self-defense.[61]

When the Quebec Act went into operation, Captain Lord was acting as commandant of the British troops at Kaskaskia. The next year they were withdrawn to Detroit, as a result of the American invasion of Canada, and also to save expense.[62] This event may be regarded as the termination of military government in Illinois. Upon leaving the country Captain Lord suggested Rocheblave as a suitable person to represent British interests. Rocheblave was a Frenchman who had come to Canada about 1748, taken up his abode in Illinois between 1770 and 1776, and become a British subject.[63] He tells us that Lord appointed him "judge and commander," with orders to keep the Indians faithful to Great Britain.[64] Carleton, however, stated that he employed Rocheblave "to have an eye on the proceedings of the Spaniards and the management of the Indians . . . ."[65] As military government had ceased, and as Rocheblave had no troops to command, we are to regard him not as Lord's successor, but merely as a British agent. The establishment under the Quebec Act of formal civil government for Illinois was prevented by the outbreak of the Revolution.[66] Rocheblave was allowed to draw a small

[61] *Ibid.*, IX, 343-344.

[62] Mason, *Early Chicago and Illinois*, 407; *Mich. P. Colls.*, IX, 350.

[63] For a sketch of Rocheblave see Mason, *Early Chic. and Ill.*, 360-381.

[64] *Ibid.*, 396.

[65] *Ibid.*, 395.

[66] Captain Mathew Johnson was appointed lieutenant-governor of Illinois, and nominally held that position from 1775 to 1781. A

sum on the treasurer at Quebec for necessary expenses,[67] but he was inadequately provided for. Left in charge of a country without troops or money, it is small wonder that he did not succeed.

The brief period of Rocheblave's residence as British agent in Illinois (1776-1778) was that in which the way was prepared for the overthrow of British rule in the country. He had a high opinion of the possibilities and strategic importance of Illinois, and thought that, if better known, it could be made a rich and prosperous colony. But he feared that it would become the center of communication, by way of the Ohio and Mississippi, between the eastern rebels and the Spaniards on the Gulf of Mexico and in Upper Louisiana.[68] Though affecting a position of neutrality in the early Revolution, Spain was secretly helping the colonists,[69] and Spanish officials in Louisiana were lending aid to them.[70] Rocheblave kept setting forth the danger of this communication, and it was understood by the authorities at Quebec.[71] But they could not furnish the aid which he asked for. His requests for troops were unheeded, and many of his drafts were protested.[72]

The disposition of the Indians, upon which the fate of Illinois to a large extent depended, was a matter of great concern to the British agent. He was expected to keep them friendly, and to prevent them from being seduced by rebel and Spanish agents. The only means of accomplishing this, as he well knew, was a liberal and continuous bestowal of presents. Without adequate supplies, and with no troops, he found great difficulty in dealing with them.[73]

warrant for his salary for these six years was issued by the authorities at Quebec, but he never exercised the functions of the office. *Rept. on Can. Archives,* 1885, 337-338.

[67] Mason, *Early Chic. and Ill.,* 382.

[68] *Ibid.,* 407.

[69] Floridablanca to Marquis D'Ossun, 17 Oct., 1777; Stevens, *Facsimiles of Manuscripts in European Archives Relating to America,* 1773-1783, XIX.

[70] Houck, *op. cit.,* I, 303.

[71] *Mich. P. Colls.,* IX, 344.

[72] Mason, *Early Chic. and Ill.,* 371, 407.

[73] *Ibid.,* 417.

In attempting to check the evils produced by the sale of liquor to the Indians, Rocheblave seems to have aroused ill-feeling among the English-speaking party. The danger caused by the presence in the villages of disorderly and intoxicated savages is obvious. The only power, however, which he could invoke was public opinion. He accordingly called an assembly of the people in April, 1776, to discuss Indian relations. It was decided to place them under collective control, and the inhabitants agreed not to sell intoxicants to the savages. The agreement was signed by most of the influential among the French, but by only one of the English-speaking party.[74]

Further friction developed between the agent and this element of the population. They accused him of having taken oaths of allegiance successively to France, Spain and Great Britain,[75] and doubtless hated him as a renegade Frenchman, who was representing a government from which their friends and relatives in the east were revolting. They were eager to thwart him whenever possible. They constantly complained of his tyranny. They accused him of siding with the French against them in disputes, and of even acting as their counsel. They said that he paid no attention to protests and appeals, and was not an Englishman's friend. They even addressed a petition to the governor of the province concerning his iniquities.[76] According to the terms of the Quebec Act the French inhabitants of the province were to have their old law in civil cases, but in criminal cases the English law was to prevail.[77] Political and judicial conditions during Rocheblave's agency, however, were almost chaotic. He acted as judge, and tells us that demands were constantly made that the English law should be followed, if it happened to favor the litigant, who might the very next day demand the

[74] *Colls. Ill. St. Hist. Lib.*, II, xxxii.
[75] *Mich. P. Colls.*, XIX, 324.
[76] Mason, *Early Chic. and Ill.*, 385-388.
[77] Coffin, *op. cit.*, 278.

French law, if advantageous to him.[78] He complained bitterly of the "reckless spirits," who thought that the government owed them everything while they owed the government nothing.[79]

In the legitimate performance of his duties the agent came into further conflict with the disaffected party over the question of aid given to the eastern rebels by the Spaniards at New Orleans and St. Louis. Boats laden with supplies came up the Mississippi and Ohio to Fort Pitt, then held by Virginia, and Governor Galvez at New Orleans was on very friendly terms with Oliver Pollock, an agent of Virginia and the United States in that city. The anti-British party in Illinois knew of this communication and beheld it with joy;[80] and they themselves traded and corresponded with the rebels.[81]

Even among the French of Illinois sympathy for the Americans existed.[82] A condition somewhat similar is to be found in lower Canada, during the period of the early Revolution. In spite of the anti-Catholic sentiments of the revolutionary party in the colonies, there was a decided feeling of sympathy among the Canadians, especially the lower class, for the "rebels," and some of the Jesuits, even, sympathized. Of the inhabitants of Illinois who were inclined to favor the Americans, the most important, on account of his great influence, was Father Pierre Gibault, the priest of Kaskaskia, who had instructed himself somewhat in the questions at issue in the Revolution.[83] Evidently the British hold on Illinois at the beginning of the Revolution was not strong.

From about 1776 the pro-American party was expecting, and Rocheblave was fearing, an American expedition into

[78] Mason, *Early Chic. and Ill.*, 391.

[79] *Ibid.*, 416.

[80] *Colls. Ill. St. Hist. Lib.*, II, xxxiii.

[81] *Ibid.*, I, 299; *Mich. P. Colls.*, XIX, 324; *Rept. on Can. Archives*, 1890 (State papers), 92.

[82] *Mich. P. Colls.*, XIX, 417.

[83] For information concerning Gibault see English, *Conquest of the Country Northwest of the River Ohio and Life of Gen. George Rogers Clark*, I, 184 *et seq.*

the country,[84] from the direction of Fort Pitt. This strategic point, at the confluence of the Alleghany and Monongahela rivers, "the gateway of the West," had been evacuated by order of General Gage in October, 1772, but had been re-garrisoned two years later by Major John Connolly under instructions from Dunmore.[85] Connolly was in command at Fort Pitt when the Revolution broke out. He speculated on the possibility of a body of rebels going down the Ohio and up the Mississippi to attack Kaskaskia, and wrote a letter to Captain Lord, then in command at that post, warning him of this danger. The letter, however, fell into the hands of the Americans, and probably called attention to the possibility of such an attack,[86] though this could scarcely fail to suggest itself, since intercourse between Fort Pitt and New Orleans had become frequent. In July, 1775, the garrison at Fort Pitt was disbanded, and Virginia militia took possession in September of the same year.[87] Their position, and the American hold on the Fort Pitt region, were greatly strengthened by a treaty of friendship made in 1775 with the Indians of the upper Ohio by commissioners of Congress and Virginia.[88]

In April, 1776, Congress appointed George Morgan agent for Indian affairs in the Middle Department, which included the West, with headquarters at Fort Pitt.[89] He was to cultivate the friendship of the Indians, and to do everything in his power to attach them to Congress. Morgan had been one of the first of the eastern traders and

[84] *Colls. Ill. St. Hist. Lib.,* II, xxxv; see also *An Address to Congress from the French Inhabitants of Post Vincennes, Kaskaskia,* etc., 1788.

[85] Thwaites and Kellogg, *Documentary History of Dunmore's War,* 53, note; Thwaites and Kellogg, *The Revolution on the Upper Ohio,* 17.

[86] Butterfield, *History of George Rogers Clark's Conquest of the Illinois and the Wabash Towns, 1778 and 1779,* 8.

[87] Thwaites and Kellogg, *Rev. on the U. Ohio,* 20.

[88] *Ibid.,* 25 *et seq.*

[89] *Journals of the Continental Congress,* Ford's ed., IV, 268; Morgan's commission is in MSS. of the Library of Congress, *Letters to Morgan.*

speculators to go to Illinois, where he had lived for several years.[90] He, of course, had friends and associates in Kaskaskia, with whom he maintained correspondence after his appointment as Indian agent.[91] He was in communication, also, with the American party in Detroit, and with Governor Galvez of New Orleans.[92] He probably knew more about the West than any other man in the service of the United States. The American party in Illinois expected that Morgan would lead an expedition into the country.[93] It was this that Rocheblave feared. In a letter written in July, 1776, to one of his friends in Kaskaskia, Morgan desired "to know the exact situation of affairs at the Illinois, and what quantity of flour and beef you could furnish a company or two of men with at Kaskaskia the twenty-fifth of next December."[94] Rocheblave was thinking of such an attack when he wrote in July, 1777, to Stuart, British agent among the southern Indians, that he had learned that a number of boats were being prepared at Fort Pitt for the purpose of embarking a force, which could be intended only for Detroit, or for the banks of the Mississippi.[95] As early as the spring of 1776, indeed, Congress did contemplate an expedition against Detroit.[96] In view of the disaffection in Illinois, the well-known attitude of the Spanish power on the Mississippi, and the uncertainty felt about the Indians, it is not strange that Rocheblave concluded that his position was undesirable and his task doomed to failure.

In May, 1777, David Abbott, a British commandant, arrived at Vincennes.[97] He tried to bring order out of chaos, formed militia companies, and erected a stockade,

[90] *Colls. Ill. St. Hist. Lib.,* II, xxviii; for his activity in the fur trade in Illinois see *Rept. on Can. Archives,* 1886, 509.

[91] *Colls. Ill. St. Hist. Lib.,* II, xxviii, note 2.

[92] Houck, *op. cit.,* II, 109.

[93] *Calendar of Virginia State Papers,* II, 675; *Colls. Ill. St. Hist. Lib.,* II, xxxv.

[94] Butterfield, *op. cit.,* 518-519.

[95] Rocheblave to Stuart, 4 July, 1777; *Bancroft MSS.,* N. Y. Pub. Lib.

[96] *Journals Cont. Cong.,* Ford's ed., IV, 373.

[97] Butterfield, *op. cit.,* 49 and his authorities.

known as Fort Sackville. Rocheblave regarded Abbott as his superior and wanted him to come to Kaskaskia and assume command as Captain Lord's successor.[98] Abbott seems to have been welcomed by the French inhabitants of Vincennes. But the neighboring tribes had been tampered with by rebel emissaries, and his efforts to secure their friendship were not very successful.[99] He was unable to make the necessary presents, and, to save expense, returned to Detroit in February, 1778.[100] On his departure he left Legras, a French creole, in command of the Vincennes militia.[101]

While Rocheblave was fearing a rebel attack on Illinois, British Indian agents in the south were expecting similar attacks on Pensacola and along the southern Mississippi.[102] When he learned of the expedition of Captain James Willing, who had been sent in the spring of 1778 to attack the British posts in that quarter, he feared a comprehensive plan of the enemy to sweep the British power from the Mississippi valley. A rumor reached him in March that a party of rebels was building a fort on the lower Ohio. "This being true," he wrote, "we are on the eve of great events in this country."[103]

[98] Mason, *Early Chic. and Ill.*, 391.
[99] Butterfield, *op. cit.*, 50.
[100] *Mich. P. Colls.*, IX, 488.
[101] Butterfield, *op. cit.*, 50.
[102] Ross to Stuart, New Orleans, 5 Mar., 1778, *Bancroft MSS.*
[103] Mason, *Early Chic. and Ill.*, 409.

CHAPTER III.

THE WESTWARD EXPANSION OF VIRGINIA AND GENESIS OF THE EXPEDITION OF 1778.

The western claims of Virginia, based on her old charter of 1609, have been referred to. This charter, it is true, was revoked in 1624 when Virginia became a royal province, and all ungranted and unsettled lands in royal provinces were subject to any disposition which the crown might see fit to make.[1] Extensive areas, carved out of the territory included within the boundaries of the grant of 1609, had been regranted, and removed from the jurisdiction of Virginia. This was the case with the provinces of Maryland, Carolina and Pennsylvania. But the Old Dominion, though proud of its connection with the crown, cherished with tenacity the claims which were supposed to be derived from the charter, and regarded all territory included in the old grant, except those parts which had been specifically regranted, as rightfully within its jurisdiction. It was on this hypothesis that Virginia maintained her claims to the West before and during the Revolution.[2]

In 1720, the General Assembly took the first step, in the sphere of legislative action, in what may be called the movement of westward expansion. As already explained, the presence of the French on the Great Lakes and on the Mississippi aroused interest in the country beyond the mountains. In that year, partly as a measure of defense against the French, Spotsylvania and Brunswick counties were established, including passes over the mountains within their boundaries.[3] In 1734, a division of Spotsylvania was made by the assembly to take effect the next year. The

[1] Osgood, *The American Colonies in the Seventeenth Century*, III, 91-92.

[2] *Secret Journals of the Acts and Proceedings of Congress*, III, 169; Hening, *Statutes at Large*, X, 527.

[3] Hening, *op. cit.*, IV, 77.

western part was formed into Orange County, which was bounded on the west by "the utmost limits of Virginia."[4] As early as 1738 settlers from Virginia had crossed the Blue Ridge. This expansion of settlements was viewed with favor by the Virginia authorities as tending to safeguard the frontier. In that year all of Orange extending north, west and south, beyond the Blue Ridge "to the utmost limits of Virginia," was separated from the rest and erected into two counties. The northern was named Frederick, the southern Augusta. Each was to remain part of Orange till it contained a sufficient number of inhabitants to warrant the appointment of justices of the peace and the creation of county courts.[5] As has been shown, the proclamation of 1763 temporarily forbade settlements beyond the Alleghanies. But in 1770, by the Treaty of Lochabor, the line of permitted settlements was extended to the Kanawha. Beyond this river, however, the British government refused to permit the frontiers to be advanced.[6] Nevertheless in 1769 the Virginia Assembly divided Augusta into two counties, the northern to retain the name of Augusta, while the southern was called Botetourt County,[7] and settlements "on the waters of the Mississippi" were mentioned as lying in Botetourt. These, the assembly declared, would probably soon be formed into a separate county.[8] Dunmore himself favored the extension of settlements beyond the Lochabor line, but his conduct in the matter called forth a reprimand from the home government.[9] In 1772, Frederick was divided into three counties, known as Frederick, Berkeley and Dunmore,[10] while Botetourt was curtailed by the formation of its western part into the county of Fincastle.[11]

[4] *Ibid.*, 450.
[5] *Ibid.*, V, 78-79.
[6] *Colls. Mass. Hist. Soc.*, 4th series, X, 727.
[7] Hening, *op. cit.*, VIII, 395-396.
[8] *Ibid.*, 398.
[9] *Colls. Mass. Hist. Soc.*, 4th series, X, 726-727.
[10] Hening, *op. cit.*, VIII, 597-598.
[11] *Ibid.*, 600.

In the policy of restricting western settlement, Great Britain was aided by the presence in the country beyond the mountains of formidable Indian tribes. To the colonists these furnished a more potent argument against westward expansion than nullified edicts and unenforcible boundary lines. Between the Tennessee river and the Gulf of Mexico were the so-called Appalachian confederacies. Of these, the two most powerful and most exposed to the white advance were the Cherokees, dwelling in what is now eastern Tennessee, northeastern Alabama and northwestern Georgia, and the Creeks, their southern neighbors. Northwest of the Ohio dwelt the Algonquin tribes, less civilized but more warlike than the Cherokees. They were generally hostile to the southern Indians, and the uninhabited land between the Ohio and the Tennessee was in dispute between the two. Before the colonists could cross the mountains and settle in numbers, the Indian claims had to be extinguished.

The Treaty of Fort Stanwix was an important event in the westward expansion of Virginia. Into the country to which the Six Nations ceded their claims, Virginia pioneers found their way. The first cabin on the Watauga is said to have been built in 1769. The first attempt to colonize Kentucky was made by Daniel Boone in 1773,[12] and the following year a settlement was made at Harrodsburg. The Kentucky country was at this time included in Fincastle County. Before its settlement could progress, however, the inevitable conflict between the frontiersmen and the Indian tribes had to be fought out. In 1772, Hillsborough expressed the opinion that the extension of settlements beyond the line of 1763 would probably cause a general Indian war, since the right of the Six Nations to cede territory south of the Ohio was denied by other tribes.[13]

As early as 1768 persons from the different colonies, many apparently of dubious character, had made settlements

[12] Ranck, "Boonesborough," *Filson Club Publications,* No. 16, 146.
[13] O'Callaghan, *op. cit.,* II, 577.

on Redstone creek, an affluent of the Monongahela, which were, of course, in violation of the proclamation of 1763.[14] From Fort Pitt as a center backwoodsmen began restlessly pushing down the Ohio. Acquiring no attachment to localities, they imagined that distant lands were better than those which they had reached. "The established authority of any government in America, and the policy of Government at home," wrote Dunmore, "are both insufficient to restrain the Americans."[15] Removed from the restrictions of civilization, the frontiersmen could not be brought to entertain a belief in the sanctity of treaties made with the savages, whom they considered "as but little removed from the brute creation."[16] The enmity of the Indians, which had not completely subsided since Pontiac's War, was revived.[17] The Shawnees were especially dissatisfied with the Treaty of Fort Stanwix, and asserted claims to lands above the Kanawha south of the Ohio.[18] Conditions along the western border were critical; it behooved the Virginia authorities to assume a tactful attitude.

Fort Pitt, as already explained, had been evacuated in 1772, but was reëstablished in 1774. Connolly, Dunmore's agent in the West, was denounced by the home government for his supposed unauthorized activities there.[19] It was learned with alarm that Virginians were injuring the Indians and arousing their resentment.[20] Affairs at Fort Pitt, indeed, were in dire confusion. Pennsylvania, claiming that it lay within her limits,[21] attempted to extend her authority over it by the creation of Westmoreland County. The authority of Virginia, also, was extended over it in 1774.[22] Both claims were, of course, based on charters.

[14] *Archives of Md.*, XIV, 468.
[15] Thwaites and Kellogg, *Doc. Hist. of Dunmore's War*, 371.
[16] *Ibid.*
[17] *Ibid.*, 373.
[18] O'Callaghan, *op. cit.*, II, 577.
[19] Force, *Am. Archives*, 4th series, I, 774.
[20] *Ibid.*
[21] *Ibid.*, 260.
[22] *Ibid.*, 271.

Connolly was arrested by the Pennsylvania authorities,[23] but the latter were unpopular with the settlers, and in May, 1774, between five and six hundred of them petitioned Virginia to take them under its protection.[24] Though the country was finally awarded to Pennsylvania, the home government was at this time inclined to favor Virginia's claim[25] and it was some years before the dispute was settled.

In the spring of 1774, rumors of a general Indian war were rife all along the frontiers. The panic became general when Connolly issued a circular asserting that a state of war existed and calling the borderers to arms.[26] On the last day of April occurred the murder of the family of the famous Mingo chief, Logan; and on June 10, Governor Dunmore issued a circular letter, calling on the county-lieutenants in the western counties to mobilize the militia.[27] In the same month he started for Fort Pitt to make an armed demonstration among the hostile tribes, for by this time the Shawnees of the Scioto valley had taken up the hatchet.[28] He wrote to Colonel Andrew Lewis, commander-in-chief of the southwestern militia, to meet him at the mouth of the Great Kanawha, or at Wheeling, with as many men as possible.[29] Early in October, Lewis arrived at Point Pleasant, near the mouth of the Great Kanawha, where, on October 10, the decisive battle of the war was fought. On both sides the losses were heavy, but the Shawnees, who had crossed the Ohio to attack Lewis, were forced to retire.[30] This battle was won by the western militia, not by British troops, and it was later believed, or at least stated, by members of the revolutionary party in Virginia, that Dunmore had not been pleased at the fron-

[23] Force, *Am. Archives,* 4th series, I, 275.
[24] *Ibid.,* 275-276.
[25] *Ibid.,* 252 *et seq.*
[26] Thwaites and Kellogg, *Doc. Hist. of Dunmore's War,* xiii.
[27] *Ibid.,* 33-35.
[28] *Ibid.,* 383-385.
[29] *Ibid.,* 97-98.
[30] For descriptions of the battle by participants see *ibid.,* 253 *et seq.*

tiersmen's victory.[31] The Shawnees gave hostages, and agreed to regard the Ohio as their southern boundary. A greater idea of colonial prowess was impressed upon their minds, and the victory had the important effect of keeping the northwestern tribes quiet during the early years of the Revolution and making possible the settlement of Kentucky. That it "extinguished the rancor" felt by the frontiersmen towards the Indians, as Dunmore hoped,[32] there is little reason to believe.

The Six Nations and the Shawnees having thus abandoned all claims to territory south of the Ohio, the way was paved for the enterprise associated with the name of Richard Henderson of North Carolina. In March, 1775, the Transylvania Company, of which he was the leading member, negotiated a treaty with the Cherokees, by which the latter ceded their claims to an extensive tract between the Tennessee and the Ohio, comprising a large part of the present state of Kentucky.[33] The name Transylvania was given to this purchase, and Henderson's desire was to erect a proprietary colony, with a legislature representing the inhabitants.[34] The Transylvania "House of Delegates" actually met in May, 1775, at the new settlement of Boonesborough, and its journal has been preserved.[35] Land was sold by the company.[36] Transylvania, however, did not enjoy a long existence. Before Henderson's treaty with the Cherokees, the proposed purchase had been denounced as illegal by the governors of Virginia and North Carolina.[37] The company petitioned the Continental Congress to add the colony of Transylvania to the thirteen original colonies, and a delegate was actually sent to Philadelphia,[38] but Congress

[31] *Bland Papers,* I, 42.

[32] Thwaites and Kellogg, *Doc. Hist. of Dunmore's War,* 386.

[33] The deed made by the Cherokees is in Ranck, *op. cit.,* 151-156. For the Transylvania enterprise, see Alden, *op. cit.,* 49 *et seq.*

[34] *Cal. Va. St. Papers,* I, 307.

[35] Ranck, *op. cit.,* 196-212.

[36] *Cal. Va. St. Papers,* I, 282.

[37] Ranck, *op. cit.,* 147-150, 181-182.

[38] *Colls. Conn. Hist. Soc.,* II, 318, note.

could not grant such a request without exceeding its powers and angering Virginia, which claimed most of the territory in question. The petition was accordingly refused. The Virginia Assembly later declared Henderson's purchase null and void,[39] though it was held to be valid as against Indian claims. The company, however, had performed some real service in employing Boone to open up a route, the famous Wilderness Road, to the banks of the Kentucky. This long remained one of the most important lines of communication between the country east and west of the mountains. And in helping to extinguish Indian claims to Kentucky, they facilitated the western movement. Most of the Transylvania purchase was soon organized in the new county of Kentucky.

Among the Virginia pioneers in the Ohio valley was a youth about to play an important rôle in the annals of the West. George Rogers Clark was born on November 19, 1752, near Monticello, in Albemarle County, Virginia.[40] He had a taste for mathematics, and his fondness for surveying exercised an important influence over his career; for it opened to him a calling in great demand at a time when settlement was rapidly expanding, and one calculated to bring him closely in touch with the westward march of civilization. He did not attend William and Mary, and from the standpoint of the tide-water planter he was a man of little cultivation. Indeed, the comparative culture of the older settlements had little attraction for him. He was by nature a pioneer and a pathfinder. His first journey west occurred in 1772, when he remained for several weeks as a member of an exploring party in the upper Ohio valley.[41] Much of his time during the next few years was spent in this region, where he devoted himself to surveying, hunting, fishing, and locating for himself a tract of land near the modern city of Wheeling. By 1773 pioneers were settling as far down the Ohio as the mouth of the Scioto.[42] Clark

[39] Ranck, *op. cit.*, 253.

[40] For Clark's early life see English, *op. cit.*, I, ch. 2.

[41] *Ibid.*, 60 *et seq.*

[42] *Ibid.*, 63.

became an expert with ax and rifle, and his craft as a woodsman was nearly equal to that of the Indian. Though he frequently visited the East, his real home was the wilderness, and his career became yoked with that of the new country. He was involved in some of the disturbances which led to Dunmore's War; and he joined the force led by the governor in person, in which he held a position of some importance.

In 1775, after the war, Clark went to Kentucky, in the forefront of the tide of western migration. He was much impressed with the beauty of the blue-grass country, then virtually an unbroken wilderness, and with the fertility of the soil in the valley of the Kentucky river, and predicted a rapid growth of settlement. Becoming thoroughly acquainted with the whole region, he determined to make it his home, and returned east in the autumn of 1775 to settle up his affairs there. In Virginia he found the Transylvania enterprise viewed askance, and also heard doubts expressed whether Virginia could properly claim Kentucky. He was opposed to the company, and believed that their purchase from the Cherokees was worthless since, in his opinion, the latter had possessed no valid claim to the country. The company had opened a land office at Boonesborough, and were beginning to raise the price of land, which caused dissatisfaction among the settlers.[43]

Clark returned to Kentucky in the spring of 1776. That he played as important a part in frontier politics as his memoir, written by him years later, would lead one to infer,[44] may reasonably be doubted; for Clark, in this document, was anxious to emphasize his own share in the events described. The majority of the Kentucky settlers, in the conflict which had begun between England and the colonies, were strongly on the patriot side.[45] If the settlements were to survive, immediate measures for their defense were

[43] Clark's *Memoir,* English, *op. cit.,* I, 457.

[44] See Butterfield, *op. cit.,* 546-557, for the reliability of Clark's *Memoir.*

[45] See *Petition of the Committee of West Fincastle,* Butterfield, *op. cit.,* 29.

imperative. A meeting of the Kentucky pioneers was held at the settlement of Harrodsburg in June, 1776. Delegates were chosen to petition the Virginia Assembly to take the Kentucky settlements under their protection. Clark, though he says that he "appointed" it, did not take an active part in the meeting. He tells us that he desired the appointment of "deputies" to treat with Virginia, and, if favorable terms were not secured, the establishment of "an independent government."[46] If this was really his desire, he made no serious effort to have his plan adopted.[47] He and John Gabriel Jones were selected as delegates to the Virginia Assembly, and soon started east for Williamsburg, where that body was in session.

They arrived in the East only to learn that the assembly had adjourned. Clark remained to interview the governor, Patrick Henry. Jones returned west to the Watauga and Holston settlements, to take part in an Indian war which was just beginning.

The growth of these settlements angered and alarmed the Cherokees, who replied by ravaging the American frontier, even invading Georgia and South Carolina. They were driven back, however, and their attacks on the Watauga and Holston were defeated by forces under James Robertson and John Sevier. The Cherokees ceded most of their claims between the Cumberland and the Tennessee; and Kentucky was thus secured from Indian attacks from the south. This war of 1776, like that of 1774, stimulated the western movement.

Governor Henry lay sick at Hanover, and thither Clark repaired with his credentials.[48] He asked for a supply of gunpowder, the article most immediately needed in Kentucky. The governor, realizing the importance of defending the Kentucky settlements, wrote to the executive council on the subject. The council hesitated to grant Clark's request, which would have been exceeding their powers.

[46] English, *op. cit.*, I, 458.
[47] *Ibid.*
[48] Clark's *Memoir, ibid.*, 461-462.

Clark informed them that the situation in Kentucky was critical in view of probable Indian attacks, and that the settlements might be destroyed for want of the powder. Further hesitation on their part led to his blunt statement that a country which was worth claiming was worth protecting. The council finally yielded, and ordered five hundredweight of powder to be sent to Fort Pitt, delivered to the officer commanding there, and by him delivered to Clark or his order for the defense of Kentucky.[49]

The revolutionary government of Virginia had now acknowledged its responsibility for the defense of Kentucky. In spite of opposition from various sources, that territory, with its present boundaries, was erected into a county of Virginia in October, 1776.[50] Henceforth it was entitled to representation in the Virginia Assembly, the laws of Virginia were extended to it, and it was included in the military and judicial systems of the state. A county court was commissioned by the governor of Virginia to take charge of internal administration. For the work of defense, Colonel John Bowman was commissioned county-lieutenant.[51] Clark was commissioned major of the Kentucky militia and had it enrolled by March 5, 1777.[52] He was thus closely identified with the founding of Kentucky.

So far as the Revolution on the western frontier was concerned, the conflict was between the American pioneers and the Indian tribes in alliance with the British government. Stuart, British agent among the Indians of the Southern District, with headquarters at Pensacola, was actively and

[49] For the order of the council see Henry, *Patrick Henry, Life, Correspondence and Speeches,* I, 472. For Clark's relations with the council see his *Memoir,* English, *op. cit.,* I, 462.

[50] At the same time the rest of Fincastle was formed into the counties of Washington and Montgomery, and the name Fincastle, as applied to a county, became extinct. Hening, *op. cit.,* VIII, 600, note.

[51] For the county organization of Kentucky, see Roosevelt, *Winning of the West,* I, 322.

[52] Clark's *Diary,* English, *op. cit.,* I, 579.

successfully negotiating with the southern tribes,[53] with whom American agents also had endeavored to treat.[54] But the leader in the work of arousing and instigating the western Indians against the rebel frontiers was Lieutenant-Governor Hamilton at Detroit. The task imposed upon him was to keep the northwestern tribes firm in their attachment to England. But his zeal carried him further than this, and he suggested the employment of the tribes to harass the American frontiers. The British government authorized such use of the Indians against the frontiers of Virginia and Pennsylvania in March, 1777;[55] and Stuart was instructed to instigate the Creeks to attack the frontiers of Georgia and the Carolinas.[56] The British government thus hoped to destroy all the American settlements west of the mountains. The belief that this policy of employing savages was favored by only a few of the most truculent of the British officers and officials is an error. Even so humane an officer as General Howe favored it.[57]

Early in September, 1777, Hamilton had more than eleven hundred warriors dispersed over the frontiers, seven hundred of whom received ammunition from Detroit.[58] About this time the management of the war upon the northwestern frontier was taken out of the hands of Carleton, then governor of Quebec, and intrusted directly to Hamilton, in whom the British government reposed great confidence.[59]

[53] Germain to Stuart, 7 Feb., 1777, *Bancroft MSS.*

[54] Stuart to Knox, 10 March, 1777, *ibid.*

[55] *Mich. P. Colls.*, IX. 346-348.

[56] Germain to Stuart, 2 Apr., 1777, *Bancroft MSS.*

[57] Howe to Stuart, 13 Jan., 1777, *Bancroft MSS.* He says, ". . . the general revolt of the colonies justifies every measure that can be used to annoy and humble them, and, though I point out circumstances under which I more particularly think the Indians should be brought to act, you must not infer from thence that I would have them restrained on any occasion when the propriety of such measures shall appear to His Majesty's Governor and yourself." Governor Tryon also favored this policy. See Tryon to Germain, 9 Apr., 1777, *Bancroft MSS.*

[58] Butterfield, *op. cit.*, 46.

[59] *Mich. P. Colls.*, IX, 351.

In June, 1777, he read a proclamation to the savages assembled at Detroit, setting them against the rebel frontiers. The first fruit of his activity was an Indian attack in September, 1777, upon Fort Henry at Wheeling, which greatly alarmed the whole frontier and threatened the annihilation of American settlements in the West.[60]

The nature of the revolting business upon which Hamilton was engaged is revealed by unimpeachable evidence, two letters of his, one to Carleton, and the other to Carleton's successor, General Haldimand. In the first of these Hamilton reported that the Indians had "brought in 73 prisoners alive, 20 of which they presented to me, and 129 scalps." In the second he stated that from May to September, 1778, "the Indians in the district have taken 34 prisoners, 17 of which they delivered up, and 81 scalps."[61] Among all the British officers in the Revolution none was so universally execrated by the frontiersmen as Hamilton, nicknamed the "Hair-Buyer," because he was supposed to reward his Indian myrmidons according to the number of scalps they brought in.[62]

Early in the course of the Revolution, Congress, as already stated, was impressed with the desirability of sending an expedition against Detroit,[63] and realized that only by destroying British influence over the northwestern tribes could the frontiers enjoy peace.[64] In November, 1777, Congress seriously considered such an enterprise.[65] The Indians of the upper Ohio, who had remained quiet since the Treaty of Fort Pitt in 1775, were becoming restless. The Americans could not furnish the articles necessary for

[60] Butterfield, *Washington-Irvine Correspondence,* 13.

[61] *Mich. P. Colls.,* IX, 476 *et seq.* The installment of *Haldimand Papers* printed in this volume give a clear idea of how Hamilton managed the Indians.

[62] For the general and correct belief in Hamilton's responsibility for Indian outrages along the frontiers, see *Journals Cont. Cong.,* Ford's ed., IX, 942-944; *Cal. Va. St. Papers,* I, 321-324.

[63] *Journals Cont. Cong.,* Ford's ed., IV, 373.

[64] *Ibid.,* IX, 942-944.

[65] *Ibid.*

trade, and consequently the majority of the tribes would not fight the British, but waited to see which party would gain the upper hand.[66] General Hand, the Continental officer placed in command at Fort Pitt in 1777, was instructed to mobilize a militia force and attack those tribes that were hostile to the United States; but a conflict of Congressional and state action arose and nothing was effected.[67] The possibility and desirability of an American expedition into the Northwest were thus generally understood early in the Revolution.

The year 1777 was critical in the history of the infant Kentucky settlements. The fury of the Indian attacks was such that the less resolute abandoned the country and crossed the mountains to the east. The few that remained held out bravely in the blockhouse forts at Harrodsburg, Boonesborough, and a few smaller stations. Their work, incessant and intense, consisted in defense, procuring provisions, caring for the wounded and burying the dead. Clark, who remained in Kentucky through the terrible autumn of 1777, considered the possibility of saving the country by a counter attack on the British posts in the Northwest. While in eastern Virginia in 1776, he may have learned of the intercepted letter written by Connolly to Lord,[68] and this may have first suggested to him an expedition into the Northwest. It is just possible, too, that on his journey west in 1776 he had talked with Morgan, since he is known to have gone by way of Fort Pitt.[69] It is not likely, however, for if he had, he would almost certainly have known later much more about conditions in Illinois. But he did know as well as Congress that the motive power directing and impelling the Indian raids on Kentucky was British influence, and that it was from Detroit, Michilimackinac,

[66] Hand to Yeates, Fort Pitt, 12 July, 1777. *Emmet MSS.*, N. Y. Public Library.

[67] Henry, *op. cit.*, I, 569 *et seq.*

[68] See Butterfield, *History of George Rogers Clark's Conquest*, 58.

[69] Clark's *Memoir*, English, *op. cit.*, I, 463. For the view that he had talked with Morgan, see Butterfield, *op. cit.*, 58.

Niagara and Kaskaskia that England's forest allies were directed. And he knew that the salvation of Kentucky depended upon checking the Indian raids.

He had apparently begun to think seriously of an attack on the British posts in the spring of 1777, for in the early summer of that year he sent two members of the Kentucky militia as spies to the Illinois villages, without disclosing his motives. These men went to Kaskaskia and returned with valuable information.[70] They told Clark that the militia, consisting mainly of French creoles, officered by Englishmen, were trained and in good order; that pains were taken to inflame the inhabitants against the "rebels," but that traces of goodwill towards the latter were to be discerned, and that there was no expectation of an American invasion.[71] Clark, encouraged by their report, continued speculating on the possibility of attacking the Illinois villages.

It has been asserted that he had got no further, while in Kentucky in 1777, than to think an expedition against Illinois would be possible; that when he went east, as he did in the autumn of that year, he had no developed plans in that direction, and that it was not till he had been east some time that he decided to encourage such an expedition.[72] There is extant, however, a letter of his, written probably to Governor Henry not later than the autumn of 1777, which seems to place the conception of the definite plan to conquer Illinois in the period before he went east in October.[73] In this letter he wrote, "According to promise I haste to give you a description of the town of Kuskuskies [Kaskaskia], and my plan for taking it. . . . . The town of Kuskuskies con-

[70] Butterfield, *op. cit.*, 60 and his authorities.

[71] The spies were misinformed in regard to this last fact (see above, ch. II, 30 *et seq.*), and they probably failed to get into communication with the pro-American party in Illinois.

[72] Butterfield, *op. cit.*, 69, 71, 73.

[73] October is the date given in Clark's *Memoir*, and seems more probable than that given in his *Letter to Mason*. See Butterfield, *op. cit.*, 69.

tains about one hundred families of French and English. . . . . On the commencement of the present war the troops were called off to reenforce Detroit. . . . . In June last I sent two young men there. The principal inhabitants are entirely against the American cause. . . . . If it [Kaskaskia] was in our possession it would distress the garrison at Detroit for provisions, it would fling the command of the two great rivers into our hands, which would enable us to get supplies of goods from the Spaniards. . . . . I have always thought the town of Kuskuskies to be a place worthy of our attention, and have been at some pains to make myself acquainted with its force, situation and strength. . . . . Was I to undertake an expedition of this sort and had authority from Government to raise my own men . . . . I should make no doubt of being in [possession] by April next. . . . . I am sensible that the case stands thus—that [we must] either take the town of Kuskuskies, or in less than a twelve-month send an army against the Indians on Wabash, which will cost ten times as much, and not be of half the service."[74]

Clark had several reasons for going east in the autumn of 1777. There were some accounts of the Kentucky militia to settle, some private business to attend to, and the expedition to the Northwest to discuss.[75] He reached Williamsburg early in November. After settling the militia accounts and visiting his father's home, he developed his plans to a few leading men in the capital. These gentlemen approached the governor, but it was not till December

[74] *Am. Hist. Rev.*, VIII, 491-494.

[75] For an extended discussion of Clark's motives for going east see Butterfield, *op. cit.*, 546-557. I cannot accept Butterfield's opinion that Clark, when he went east, had no serious thoughts of leading an expedition to Illinois, and that his desire to do so was partially caused by the alarming nature of the situation he found in the East. Butterfield bases his opinion upon Clark's *Letter to Mason* (English, *op. cit.*, I, 411-412). This account, however, should be modified by the conflicting one which Clark gives in his *Memoir* (*ibid.*, 468). In reality, the state of affairs in the East, in the autumn of 1777, was better, not worse, than Clark had supposed, for Burgoyne's surrender had just taken place.

10 that Clark had his first interview with Henry. The governor was impressed with the possibilities of the plan.[76] He appreciated, however, the danger of dispatching a force to so great a distance and he understood the necessity of absolute secrecy. It would be unsafe to have the project discussed in the assembly, for in that case it would soon be talked of on the frontiers, and prisoners taken by the Indians would be sure to divulge it to the British.[77] An act passed in the autumn of 1777 gave the governor power, with the advice of the council, to order out the militia in an expedition against the western enemies.[78] Henry asked the advice of a few prominent men who were members of the assembly but not in the council, George Mason, George Wythe and Thomas Jefferson. This informal committee deliberated over Clark's proposals and studied his plans of operation. Particular stress was laid upon the possibility of a retreat from Illinois in case of disaster to the Spanish settlements across the Mississippi[79] where, it was believed, Americans would be well received.[80] The informal committee decided in favor of the expedition, and on January 2, 1778, the plan was communicated to the council. They advised Henry to authorize the expedition as quickly and secretly as possible, to issue his warrant on the state treasurer for £1,200 payable to Clark, and to prepare instructions for him.[81]

These instructions were delivered to Clark on the same day. There were two sets, one public, and the other private.[82] By the former he was authorized to enlist with-

[76] English, *op. cit.*, I, 468.

[77] *Ibid.*

[78] Henry, *op. cit.*, I, 583-584. For text of this act, see Hening, *op. cit.*, IX, 374-375.

[79] Clark's *Memoir*, English, *op. cit.*, I, 468.

[80] The correspondence between Henry and Governor Galvez of New Orleans shows that the two were on friendly terms. Transcripts of these letters are in the *Bancroft MSS.*

[81] Henry, *op. cit.*, I, 585.

[82] Both are printed in the appendix to Clark's *Sketch of His Campaign in the Illinois*, Cincinnati, 1869.

out loss of time seven companies, to be recruited from any of the counties of Virginia. They were to proceed to Kentucky and obey his orders for the period of three months. If they remained on duty longer, they were to receive compensation. These instructions conveyed the impression that the recruits were for the defense of Kentucky only. The private instructions were longer. In these Clark was authorized to apply to the commanding officer at Fort Pitt for transportation down the Ohio, and to attack Kaskaskia, but he was to keep his real destination secret. "Its success depends upon this." Kaskaskia was claimed as within the lawful boundaries of Virginia.[83] Clark was to show humanity to British subjects, and, if possible, to conciliate them. His troops were to receive the pay of Virginia militia. The establishment of a post near the mouth of the Ohio was stated as in contemplation. In a letter written by the governor to Clark a few days later, the latter was authorized to extend his operations from Kaskaskia to the enemy's settlements "above or across, as you may find it proper." The reference was probably to Detroit and Vincennes. He was also advised to consult with Colonel David Rogers, who was on his way to New Orleans with a letter from Henry to Galvez, and who had an extensive knowledge of conditions in the West.[84] The government of Virginia was thus committed to the support of Clark's plan.

On January 3, a letter was written to him by the informal committee, and signed by Wythe, Mason and Jefferson. In this the conquest of territory was clearly in view. English and Indian aggressions were to be punished "by carrying the war into their own country." Clark was congratulated upon his appointment, and rewards were virtually promised, in case of success, to officers and men.[85]

[83] The reference is to Virginia's charter claims.

[84] *Am. Hist Rev.*, VIII, 494. A transcript of the letter from Henry to Galvez is in the *Bancroft MSS.*

[85] A facsimile of this letter is given in English, *op. cit.*, I, 102-103.

CHAPTER IV.

THE OVERTHROW OF BRITISH POWER IN ILLINOIS.

Clark, with the rank of lieutenant-colonel, immediately left Williamsburg and hastened to the frontier.[1] Clothed with large discretionary power, in possession of £1,200 in depreciated Virginia paper currency, a request for powder and lead addressed to General Hand, and an authorization to draw for extra funds on Oliver Pollock at New Orleans, he set about the work of recruiting.[2] Before the end of January he had recruiting parties along the frontier from Fort Pitt to North Carolina.[3] He advanced £150 to Major William B. Smith to recruit on the Holston in the expectation that Smith would join him in Kentucky.[4] Captain Leonard Helm of Fauquier County, and Captain Joseph Bowman of Frederick County, were each to raise a company and meet Clark at Redstone on the Monongahela, where he arrived early in February.[5]

Clark and his recruiting officers experienced many difficulties. As already explained, the country about Fort Pitt was in excitement over the rival claims to jurisdiction of Virginia and Pennsylvania, and there was much opposition in that vicinity to the recruiting of troops who were to be used, judging from Clark's public instructions, for the defense of a Virginia county. Helm reported that in his county there was opposition, "as no such service was known

[1] Probably on Jan. 4, 1778, as he says in his *Memoir,* English, *op. cit.,* I, 469, not Jan. 18, as he says in the *Letter to Mason.* See Butterfield, *op. cit.,* 86.

[2] Butterfield, *op. cit.,* 85-86. The statement in the *Memoir* (English, *op. cit.,* I. 468), that he had an "order" on Hand is incorrect, for Governor Henry could not issue orders to a Continental officer.

[3] *Letter to Mason,* English, *op. cit.,* I, 413.

[4] Clark's *Memoir, ibid.,* 469.

[5] *Ibid.*

by the Assembly."[6] While at Redstone, Clark had word from Smith that he would join him at the Falls of the Ohio with 200 men. By the middle of April he thought that six companies had been recruited, in addition to those of Helm and Bowman, which had joined him at Redstone, and that he would have his "full quota."[7] On May 12, he left Redstone with about 150 men, divided into three companies, and "set sail" for the Falls of the Ohio, General Hand having furnished him with all necessities.[8] At Fort Randolph, at the mouth of the Great Kanawha, he was joined by a few Virginians under Captain James O'Hara.[9] He next touched at the mouth of the Kentucky, where disappointing news awaited him. Smith had experienced great difficulties from desertion, and from a Continental draft which interfered with his recruiting, and only a very few of the men he had promised had arrived in Kentucky.[10] Clark feared this would prove fatal to his plans. He immediately wrote to County-Lieutenant John Bowman at Harrodsburg, asking him to join the expedition at the Falls with all the men he could spare.[11] Towards the close of May, Clark encamped his little force on Corn Island in the Ohio, opposite the modern city of Louisville, where the channel of the river was interrupted by falls. His object in choosing this island for a camp was better to control his troops and check desertion.[12] Here he was joined by a few men whom Bowman could spare from Kentucky, under Captain Montgomery,[13] and by a few of Smith's men from Holston under Captain Dillard.[14] He now made known his real destination. In spite of precautions, one lieutenant

[6] *Memoir,* English, *op. cit.,* I, 469, *Letter to Mason, ibid.,* 413.

[7] Clark to Hand, Redstone, 17 Apr., 1778. *Emmet MSS.*

[8] *Letter to Mason,* English, *op. cit.,* I, 413.

[9] Butterfield, *op. cit.,* 96.

[10] *Am. Hist. Rev.,* VIII, 496; *Letter to Mason,* English, *op. cit.,* I, 414, and *Memoir, ibid.,* 471.

[11] Butterfield, *op. cit.,* 98.

[12] *Letter to Mason,* English, *op. cit.,* I, 414.

[13] *Cal. Va. St. Papers,* III, 441.

[14] *Letter to Mason,* English, *op. cit.,* I, 414.

and a few men of Dillard's company made good their escape;[15] but the sentiment of the majority was revealed by burning the lieutenant in effigy.[16] A number of families, who had followed Clark for the sake of protection, were found useful in guarding a blockhouse which he erected on the island.[17]

While here Clark acquired a piece of information most valuable to him in the coming campaign. He received a letter from Fort Pitt announcing the treaties which had recently been concluded between France and the United States.[18] The advantages which the French treaty would give him in dealing with the French of Illinois are obvious.[19]

On June 24, Clark's little army left Corn Island, shooting the Falls at a moment when the sun was in nearly total eclipse, an incident "which caused various conjectures among the superstitious."[20] His whole force was about 180, including officers.[21] The men were divided into four companies, commanded by Captains John Montgomery, Joseph Bowman, Leonard Helm and William Harrod.[22] This number fell far short of the "seven companies" which Governor Henry had authorized him to raise.

Speed and secrecy alone, Clark believed, could make up for his numerical weakness. Accordingly, he rowed down the Ohio as quickly as possible till he reached an island in the mouth of the Tennessee. Here he landed on June 28

[15] *Ibid.*

[16] *Memoir, ibid.*, 473.

[17] The presence of these families can scarcely be said to have given Clark's expedition a migratory character, as stated by Roosevelt, *Winning of the West*, II, 39.

[18] *Memoir*, English, *op. cit.*, I, 474; *Am. Hist. Rev.*, VIII, 497.

[19] Professor Alvord (*Colls. Ill. St. Hist. Lib.*, II, xlv) calls the French treaty Clark's "trump card."

[20] English, *op. cit.*, I, 159-160, 473.

[21] Bowman to Brinker, July 30, 1778, says, "about 175"; English, *op. cit.*, I, 558. Governor Henry says, "one hundred and seventy or eighty," *ibid.*, 245. See also, Butterfield, *op. cit.*, 582.

[22] Clark's *Memoir*, English, *op. cit.*, I, 473.

to prepare for an overland march to Kaskaskia.[23] The water route down the Ohio to its mouth and up the Mississippi would have been easier. But it could not have been followed with secrecy, for the Mississippi was patrolled. Clark understood the importance of delivering his attack from an unexpected quarter, and decided to follow the Ohio only as far as the site of old Fort Massac, near the mouth of the Tennessee, thence to march overland in a northwesterly direction and enter Kaskaskia by the back door. While in the mouth of the Tennessee, his men seized a boatload of strangers. They turned out to be hunters, who had recently been at Kaskaskia, and they seemed to favor the American cause. Their intelligence was not specially favorable to Clark, but they took an oath of allegiance to the United States and joined the expedition.[24] In the evening of the twenty-eighth Clark ran his boats into a creek near Fort Massac, and the next morning started on the trail for Kaskaskia, one hundred and twenty miles distant.[25] He had no wagons, packhorses, or artillery. John Fiske's account of the early part of this campaign is singularly inaccurate. "Clark," he says, "had a hard winter's work in enlisting men, but at length in May, 1778, having collected a flotilla of boats and a few pieces of light artillery, he started from Pittsburg with 180 picked riflemen, and rowed swiftly down the Ohio river a thousand miles to its junction with the Mississippi."[26] He had no artillery, did not start from Pittsburg with 180 men, and did not row down to the mouth of the Ohio.

For about fifty miles the march was difficult and fatiguing. Clark's men then reached the open, level prairies, where his greatest fear was the likelihood of detection,

[23] Butterfield, *op. cit.*, 105.

[24] *Letter to Mason,* English, *op. cit.,* I, 415.

[25] For Clark's route to Kaskaskia see Hulbert, "Military Roads of the Mississippi Basin," *Historic Highways of America,* VIII, 18, 25 *et seq.* Also Butterfield, *op. cit.,* 591-594.

[26] Fiske, *American Revolution,* II, 105.

which would have spoiled his plans.[27] The march, however, was uneventful, save that once the guide lost his way. Towards the end, food gave out, but the spirit of the men remained excellent.[28] On the evening of July 4, after a six days' march, they reached the eastern bank of the Kaskaskia river, opposite the village. Taking possession of a farmhouse, they found plenty of boats, and in two hours were all transported across the river.[29] Clark learned that there had been some suspicion in Kaskaskia of an American attack, but that the people, having made no discoveries, had "got off their guard."[30]

The story of how he surprised the gay creoles at a dance is mythical. Clark himself thus baldly describes the taking of Kaskaskia: "I immediately divided my little army into two divisions. Ordered one to surround the town. With the other I broke into the fort . . . . secured the governor, Mr. Rocheblave; in fifteen minutes had every street secured; sent runners through the town ordering the people, on pain of death, to keep close to their houses, which they observed, and before daylight had the whole town disarmed."[31] One of his captains describes the capture as follows: "About midnight we marched into the town without ever being discovered. We pitched for the fort and took possession. The commanding officer we caught in bed, and immediately confined him."[32] The fort mentioned was Fort Gage, the residence of Rocheblave. It was now renamed Fort Clark.[33] With Rocheblave were captured the instructions and papers which he had received from Detroit and Quebec.[34]

[27] *Letter to Mason,* English, *op. cit.,* I, 415.

[28] Bowman to Brinker, *ibid.,* 559.

[29] *Letter to Mason, ibid.,* 416. Professor Alvord suggests (*Colls. Ill. St. Hist. Lib.,* II, xlii, note) that these boats may have been placed here by members of the pro-American party in Kaskaskia, in expectation of an American attack.

[30] *Letter to Mason,* English, *op. cit.,* I, 416.

[31] *Ibid.*

[32] Bowman to Brinker, *ibid.,* 559.

[33] Butterfield, *op. cit.,* 138.

[34] English, *op. cit.,* I, 559, 564; Alvord, *The Old Kaskaskia Records,* 43.

Clark describes in vivid but probably exaggerated language the abject terror of the Kaskaskians.[35] As a matter of fact, an American attack was not, as we have seen, unexpected. Persons friendly to the Americans supplied Clark's hungry troops with food, and urged the French to submit.[36] He himself was not long in learning of a pro-American sentiment in the town.[37]

The policy adopted by Clark in treating with the townsmen shows that he was gifted with true diplomatic insight. He summoned the leading citizens to a conference, told them he was sorry they had entertained so bad an opinion of Americans, and explained, after a fashion, the nature of the dispute between England and the United States. It was the American principle, he said, to make men free, not slaves, and if they would espouse the American cause, they should at once enjoy all the privileges of American government; but this favor was made to appear as a privilege extended to a people who, by the fate of war, were at his mercy.[38] Equally tactful was his treatment of the most influential inhabitants. Cerré, the leading merchant of Kaskaskia, who had been strongly opposed to the American cause, happened to be in Spanish Illinois on business. In spite of accusations made by his enemies, Clark gave him a hearing. Cerré took an oath of allegiance and, says Clark, "became a most valuable man to us."[39] Father Gibault became a zealous "Clark man" when informed that the church would be protected, and that under the laws of Virginia all religions enjoyed equal privileges.[40] The attitude taken by Clark, and the information he gave of the French treaty, brought the town completely to his feet.[41]

[35] *Letter to Mason,* English, *op. cit.,* I, 416-417; *Colls. Ill. St. Hist. Lib.,* II, xliv.

[36] See, e. g., *Cal. Va. St. Papers,* II, 675, and Clark's *Memoir,* English, *op. cit.,* I. 478.

[37] *Ibid.,* 477.

[38] *Letter to Mason, ibid.,* 417.

[39] Clark's *Memoir, ibid.,* 484-487; *Am. Hist. Rev.,* VIII, 498-500. For a sketch of Cerré, see *Trans. Ill. St. Hist. Soc.,* 1903, 275 *et seq.*

[40] *Letter to Mason,* English, *op. cit.,* I, 418.

[41] *Colls. Ill. St. Hist. Lib.,* II, 536, and *Letter to Mason,* English, *op. cit.,* I, 417.

It may well be that hopes of a speedy restoration to France, the only government for which the Illinois creoles felt any real attachment, partially explain the tameness of the surrender of Kaskaskia.[42] With a few exceptions, Clark allowed any who chose to leave the country.

On July 5, Bowman, with a detachment of thirty mounted men, and accompanied by a number of Kaskaskians, was sent to take possession of the northern towns of Prairie du Rocher and St. Philippe.[43] They surrendered immediately, and without resistance.[44] Within ten days about three hundred of the inhabitants of these northern towns took an oath of fidelity, and appeared to be attached to the American cause.[45]

Clark now turned his attention to the reduction of Vincennes. In the case of this town, a repetition of the attack on Kaskaskia was not possible, for the inhabitants were aware of his proximity and could not be surprised.[46] Gibault's friendship was now found to be of the utmost service. His spiritual jurisdiction extended over Vincennes, and he offered to win the town for Clark by peaceful means. Though he had nothing to do with temporal business, he said, he would give the people such hints in the spiritual way as would be "very conducive to the business."[47] The priest, in company with Dr. Laffont, the principal of the Jesuit school at Kaskaskia, and a few others, soon started for Vincennes, taking with him a proclamation from Clark to the people.[48] His "hints" were effective. No resistance was made to the transfer of allegiance from England to the

[42] *Colls. Ill. St. Hist. Lib.*, II, 536.

[43] This party was mounted on Illinois horses; Clark had brought none with him.

[44] Bowman to Brinker, English, *op. cit.*, I, 559; Bowman to Hite, *ibid.*, 564-565; *Colls. Ill. St. Hist. Lib.*, II, 536.

[45] Bowman to Brinker, English, *op. cit.*, I, 560; Bowman to Hite, *ibid.*, 565.

[46] *Letter to Mason, ibid.*, 419.

[47] *Ibid.* For Gibault's services to Clark see *Am. St. Papers*, "Public Lands," I, 21.

[48] *Letter to Mason*, English, *op. cit.*, I, 419, and *Trans. Ill. St. Hist. Soc.*, 1907, 271 *et seq.* See also *Am. Hist. Rev.*, XIV, 544 *et seq.*

United States, and in a few days an oath of fidelity was taken by the people.[49] They had even less reason than the Kaskaskians to feel attachment to Great Britain,[50] and their acquiescence in a change of masters is neither difficult to understand nor discreditable. Legras, who had been left by Abbott in command of the Vincennes militia, seems to have done nothing to stem the tide of pro-American sentiment, and was later accused of treason by Hamilton.[51] The post of Ouiatanon soon followed the example of Vincennes, and came under American control.[52] Clark placed Captain Helm in charge at Vincennes as commandant and superintendent of Indian affairs.[53]

In attempting to explain Clark's success in this expedition against Illinois, account must be taken of the secrecy and speed of his movements, his spirit of dauntless perseverance in the face of disappointment, the absence of British troops in the country and the attitude of the inhabitants. The element of secrecy is especially emphasized by Clark himself,[54] and by Captain Montgomery.[55] A few companies of British regulars could probably have held the country against any force which the Americans could have sent. This, at least, was the opinion of General Haldimand, Carleton's successor as governor of Quebec.[56] But the attitude of the inhabitants, it seems to me, was the decisive factor in the collapse of British rule in Illinois. Rocheblave attributed the failure of the people to defend themselves to Spanish intrigues, and to the treachery of the English-speaking merchants.[57] What Clark could have done, had military resistance been encountered, cannot be known, for there was none; and consequently there was no occasion for

[49] *Trans. Ill. St. Hist. Soc.*, 1907, 270 *et seq.*
[50] Supra, ch. II.
[51] Butterfield, *op. cit.*, 175.
[52] *Ibid.*, 194.
[53] *Letter to Mason,* English, *op. cit.,* I, 420.
[54] *Ibid.*, 415.
[55] *Cal. Va. St. Papers,* III, 441.
[56] Mason, *Early Chic. and Ill.,* 369.
[57] *Ibid.*, 418.

the display of great military ability. In other words, the explanation of his success in 1778 is to be sought for in conditions in the country before his arrival. The British régime fell mainly from internal causes.

Within a few weeks Clark was in possession of the territory along the Mississippi from Kaskaskia to Cahokia, and on the Wabash from Vincennes to Ouiatanon. But he had not men enough to hold it securely. The time of his three months' recruits had expired and most of them were anxious to return. It was only with great difficulty, and by usurping authority, that he induced about one hundred to reënlist for eight months.[58] To preserve appearances and create an impression of greater strength, he gave out that he could at any moment secure reënforcements from the Falls of the Ohio. The several companies were soon filled by the enlistment of creole volunteers, who were anxious to serve under him.[59] The men who insisted on returning were sent east under Captain Montgomery, who conveyed Rocheblave as a prisoner, and letters from Clark to the governor of Virginia informing him of the situation in Illinois and the necessity of more troops.[60] Garrisons were placed in Fort Clark at Kaskaskia, in Fort Bowman at Cahokia, and in Fort Sackville at Vincennes.[61]

The establishment of friendly relations with the neighboring tribes was a task which immediately confronted Clark. We have seen that it was primarily Indian attacks on Kentucky that had occasioned his expedition.[62] The counteraction of British influence among the northwestern tribes was, then, an essential part of his programme. His unexpected appearance, and the position taken by the people of Illinois, greatly perplexed and alarmed the savages, most of whom had been hostile to the Americans. The French traders, who possessed great influence over the Indians,

[58] *Letter to Mason,* English, *op. cit.,* I, 419.

[59] *Ibid.,* 420.

[60] *Ibid.;* Clark's *Memoir, ibid.,* 489; *Cal. Va. St. Papers,* III, 441.

[61] Clark's *Memoir,* English, *op. cit.,* I, 489; Butterfield, *op. cit.,* 138.

[62] Governor Henry to Virginia's Delegates in Congress, 14 Nov., 1778, English, *op. cit.,* I, 245.

advised them to make their peace with Clark. By the middle of August they were flocking to Cahokia, some, Clark says, from a distance of five hundred miles, to smoke the pipe of peace with the "Big Knives," as they called the Virginia frontiersmen.[63] Clark did not believe in the methods commonly employed by English colonists in dealing with Indians. Abundant use of presents and over-conciliatory speeches savored, in his opinion, of weakness. He seems, indeed, always to have held these views.[64] He determined, accordingly, to employ "harsh language"; in other words, bluff and braggadocio. During a five-weeks' residence at Cahokia he concluded treaties with ten or twelve tribes.[65] At the same time Captain Helm at Vincennes was making treaties with several of the Wabash tribes.

Hamilton realized the importance of maintaining British influence over the Wabash Indians, and thought they should be utilized as a barrier against rebel inroads towards Detroit.[66] As soon, therefore, as he learned of Clark's success in Illinois, he sent an agent named De Celoron, to hold these tribes firm in their alliance with Great Britain.[67] De Celoron arrived at Ouiatanon about the time Helm reached Vincennes. The latter, with a detachment of Clark's men from Kaskaskia, started up the Wabash to capture the British agent, who fled at his approach, leaving Helm to negotiate a treaty with the Indians about Ouiatanon, which, however, did not long keep them on the American side.[68] Hamilton later criticised De Celoron sharply, and accused him of treason.[69] Though Clark undoubtedly exaggerated the extent of American influence over the northwestern

[63] *Letter to Mason, ibid.*, 420, 422.

[64] *Cal. Va. St. Papers,* III, 488.

[65] *Letter to Mason,* English, *op. cit.,* I, 420-421, 426.

[66] *Mich. P. Colls.,* IX, 459.

[67] *Ibid.*

[68] *Letter to Mason,* English, *op. cit.,* I, 427-428; Butterfield, *op. cit.,* 193-194, 197, 243.

[69] *Colls. Ill. St. Hist. Lib.,* I, 359, and *Colls. of the State Hist. Soc. of Wisconsin,* XI, 181.

tribes, his achievements in this direction were considerable enough to worry the British officials at the lake posts.

He devoted some attention to cultivating friendly relations with Francisco de Leyba, the Spanish commandant of Upper Louisiana. That Leyba was as glad to see Clark in possession along the Mississippi as the latter implies,[70] seems doubtful, however, in view of later events.

[70] *Letter to Mason,* English, *op. cit.,* I, 426.

CHAPTER V.

HAMILTON AND CLARK.

Meanwhile Hamilton was not inactive. He was in many respects an able and energetic soldier, and it was almost certain that he would attempt to drive the Americans out of Illinois. He learned of Clark's invasion in August, 1778, and immediately informed Carleton.[1] Early in the same month the disconsolate Rocheblave wrote a dolorous letter to Quebec, stating the fact of his capture by "the self-styled colonel."[2] In September, General Haldimand, who had in June succeeded Carleton as governor of Quebec,[3] wrote to Germain, informing the British government that Illinois had been "overrun" by parties of rebels.[4] Haldimand thought that the Indians, if properly directed by Hamilton, might be able to clear Illinois of the Americans,[5] but he did not authorize Hamilton to undertake a regular expedition for this purpose.[6] The latter was, however, authorized by the British government to employ the Wabash Indians to dislodge the Americans, but this instruction could not have reached him, since it was not written till after he had started from Detroit against Clark.[7] But Hamilton was eager to lead such an expedition. In the spring of 1778 he had been meditating an attack on Fort Pitt, which had, however, been disapproved by Haldimand.[8] He now began to plan the recovery of Illinois. But it was not a mere Indian raid which he had in mind.

[1] *Mich. P. Colls.*, IX, 459.

[2] Mason, *Early Chic. and Ill.*, 418-419.

[3] Haldimand to Sir Henry Clinton, received 1 Aug., 1778, *Bancroft MSS.*

[4] Haldimand to Germain, 11 Sept., 1778, *ibid.*

[5] Butterfield, *op. cit.*, 163.

[6] *Ibid.*, 163-164.

[7] For proof that he was ordered to try to recover Illinois see Germain to Stuart, 2 Dec., 1778, *Bancroft MSS.*

[8] *Mich. P. Colls.*, IX, 398.

He would lead the expedition in person.[9] He hoped first to recover Vincennes, and then to retake all the other villages.

He wrote Major De Peyster, commandant at Michilimackinac, informing him of his plans, and asking for the coöperation of the Indians in that vicinity.[10] De Peyster had already sent a "belt" to the Illinois tribes to stir them up against the rebels,[11] and he tried to convince the tribes over whom he had influence that commercial considerations bound them to Great Britain.[12] He lent Hamilton his hearty coöperation, but the Indians about Michilimackinac were at that season so greatly dispersed that he was unable to dispatch a formidable party,[13] and his efforts to reënforce the lieutenant-governor were not successful.[14]

Hamilton's work of preparation was effected with speed and efficiency,[15] and on October 7, he started from Detroit for Vincennes at the head of about 230 men, regulars, irregulars, militia and Indians.[16] He was acting on his own responsibility, without orders from Haldimand.[17] The route followed by Hamilton was down the Detroit river to Lake Erie, on Lake Erie to the mouth of the Maumee, up the Maumee to its source, over a portage to a source of the Wabash, the "Petit Rivierre," and down the Wabash to Vincennes. The details of the journey need not be described.[18] It was about 600 miles in length, and consumed seventy-one days. During its progress Hamilton was joined by considerable numbers of Indians.[19] The journey down

[9] Butterfield, *op. cit.*, 164.

[10] *Mich. P. Colls.*, IX, 476.

[11] *Ibid.*, 371.

[12] *Colls. St. Hist. Soc. Wis.*, XI, 117.

[13] *Ibid.*, 119.

[14] *Ibid.*, 121-122, 124-125.

[15] Butterfield, *op. cit.*, 170 *et seq.*

[16] For the numbers see *ibid.*, 180, 648-652.

[17] *Mich. P. Colls.*, XIX, 474; Haldimand to Clinton, 26 May, 1779, *Bancroft MSS.*

[18] The longest primary source for this expedition is a letter written by Hamilton in 1781. See *Mich. P. Colls.*, IX, 489-516.

[19] *Colls. Ill. St. Hist. Lib.*, I, 220, and Butterfield, *op. cit.*, 206.

the Wabash was very difficult and slow, for the river was low and full of floating ice.

On December 15 a party of scouts captured a small detachment sent out from Vincennes by Helm to reconnoiter.[20] From these men Hamilton learned that Helm depended for defense almost entirely on the militia of Vincennes, who, the former wrongly imagined, were in the pay of Congress.[21] Helm was isolated. Clark, it is true, had supposed that Hamilton would attempt the recovery of Illinois,[22] and he knew as early as September that the latter was trying to rouse the northern tribes.[23] But when his spies reported that the British commander was marching south by the Maumee,[24] he completely mistook his object.

In May, 1778, Congress, ignorant of Clark's expedition, voted to raise three thousand men for western service. General Hand was succeeded at Fort Pitt by General McIntosh, who arrived there in August. McIntosh was instructed to lead an expedition against Detroit.[25] After spending some time in attempting to conciliate the Indians whose hunting-grounds he would have to traverse, he advanced thirty miles down the Ohio, where, at much loss of time, he erected Fort McIntosh. The furthest point reached in this "campaign" was the headwaters of the Muskingum, where another fort was built. Leaving 150 men there, McIntosh returned in December to Fort Pitt, disbanded his militia and went into winter quarters.[26] When certain information reached Clark that Hamilton was on the march, he supposed that he was moving against McIntosh, "little thinking," he says, "that Mr. Hamilton had the same design on me that I supposed he had at Gen.

[20] Butterfield, *op. cit.*, 216.

[21] Hamilton to Stuart, 25 Dec., 1778, *Bancroft MSS.*

[22] *Letter to Mason,* English, *op. cit.*, I, 428.

[23] Henry, *op. cit.*, III, 194.

[24] *Letter to Mason,* English, *op. cit.*, I, 429.

[25] For the resolution of Congress leading to this expedition see *Journals Cont. Cong.*, Ford's ed., XI, 588.

[26] Justin Winsor, *Western Movement,* 125.

McIntosh."[27] Clark cannot justly be blamed for not foreseeing McIntosh's utter failure. The latter's inability to menace Detroit gave Hamilton a free hand, and he had actually captured Vincennes before Clark received accurate information of his whereabouts.

After arriving in the neighborhood of Vincennes, Hamilton sent out parties to watch the lines of communication from that village to Kaskaskia and to the Falls of the Ohio, and sent word in advance to the inhabitants that no mercy would be shown them unless they abandoned the American cause. Helm's militia proved useless, and resolved to make as good terms as possible with Hamilton. Helm, indeed, said he had not four men upon whom he could depend; "not one of the militia will take arms, though before sight of the enemy no braver men."[28] He was hopelessly outnumbered, and could make no resistance to a party as large as that which was approaching. By this time it had been increased by the addition of Indians to about five hundred men.[29] On December 17, Helm surrendered Fort Sackville. In the town Hamilton encountered no resistance. The inhabitants laid down their arms to the number of 220.[30] On December 19, the people were summoned to the church, where Hamilton, after reproaching them for their past treachery, read an oath of allegiance, which was signed by more than 150 in a few days.[31] Those who had accepted American commissions gave them up, and all who took the oath received back their arms. Hamilton hoped that lenity shown to the people of Vincennes would have a good effect on those of Kaskaskia and the other villages. For his success thus far he alone deserved the credit. He had acted,

[27] *Letter to Mason,* English, *op. cit.,* I, 429.

[28] *Am. Hist. Rev.,* I, 90-91; English, *op. cit.,* I, 233.

[29] Butterfield, *op. cit.,* 225. Clark (*Letter to Mason*) exaggerates the number in placing Hamilton's force at 800. He comes nearer the actual figure in a letter to the governor of Virginia (*Cal. Va. St. Papers,* I, 315-316), placing it at 600.

[30] Hamilton to Stuart, 25 Dec., 1778, *Bancroft MSS.*

[31] Butterfield, *op. cit.,* 228-229.

as has been said, on his own responsibility, without orders from his superior at Quebec.[32]

He at once put the fort, which he found " a miserable stockade," in better condition, and erected blockhouses and barracks.[33] Parties were sent out in every direction to bar intercourse between the Falls of the Ohio and the Illinois settlements,[34] and means were taken to intercept boats on the Ohio. He deliberated on the project of an immediate advance on Kaskaskia. But it was the dead of winter, the route to be traversed (over 200 miles) was through a country subject to inundation, and it was necessary to maintain a garrison in Fort Sackville. These considerations induced the British commander to winter at Vincennes and postpone the attack on Kaskaskia till spring.

He knew of the aid extended to the Americans by the Spaniards, and resolved, if possible, to put a stop to it. As early as January, 1779, he suspected that war had already broken out between Spain and England and regretted that he had no information which would justify him in taking the offensive against the Spaniards in the West, "as there would be so little difficulty in pushing them entirely out of the Mississippi."[35] In the same month he wrote to Galvez, briefly describing his capture of Vincennes. "Your Excellency," he said, "cannot be unacquainted with what was commonly practised in the time of your predecessor in the government of New Orleans, I mean the sending supplies of gunpowder and other stores to the rebels then in arms against their sovereign. Though this may have been transacted in a manner unknown to the Governor by the merchants, I must suppose that under your Excellency's orders, such commerce will be positively prohibited. . . . . I think it incumbent on me to represent to your Excellency that the rebels at Kaskaskia being in daily apprehension of the arrival of a body of men from the

[32] Butterfield, *op. cit.*, 226.
[33] *Colls. Ill. St. Hist. Lib.*, I, 390.
[34] Hamilton to Stuart, 25 Dec., 1778, *Bancroft MSS.*
[35] Hamilton to Haldimand, 24-30 Jan., 1779, *Bancroft MSS.*

upper posts accompanied by the savages from that quarter have declared that they will take refuge on the Spanish territory as soon as they are apprised of their coming. As it is my intention early in the spring to go towards the Illinois, I shall represent to the officers commanding several small forts and posts on the Mississippi for His Catholic Majesty the impropriety of affording an asylum to rebels in arms against their lawful sovereign. If after such a representation the rebels should find shelter in any fort or post on the Mississippi, it will become my duty to dislodge them, in which case their protectors must blame their own conduct, if they should suffer any inconvenience in consequence."[36]

But Hamilton was meditating something more momentous than the expulsion of the rebels from Illinois. He anticipated for the coming season the greatest gathering of Indians that had ever been collected on the American frontier.[37] Stuart was to incite the southern tribes; Hamilton, who expected reënforcements from the commander-in-chief, would, with the northern Indians, as circumstances should decide, either first sweep the Americans from Illinois, or immediately attack Kentucky.[38] He hoped to capture the post at the Falls of the Ohio, and also to build a fort at the mouth of that river.[39] Concerted Indian action was to annihilate the American settlements west of the Alleghanies. The danger to the American cause in the West was never greater than at the opening of 1779.[40] The center of hostile operations, moreover, had come nearer. It was now at Vincennes.

By February 22, 1779, the fort at Vincennes, Hamilton says, was "in a tolerable state of defense." Scouting parties were kept on the alert. Most of his Indians, however, were

[36] *Colls. Ill. St. Hist. Lib.*, I, 377 *et seq.*

[37] Hamilton to the commandant at Natchez, 13 Jan., 1779, *Bancroft MSS.*

[38] *Ibid.*, and Hamilton to Stuart, 25 Dec., 1778, *Bancroft MSS.*

[39] *Colls. St. Hist. Soc. Wis.*, XI, 180, and *Mich. P. Colls.*, IX, 477.

[40] *Ibid.*, 497, and Butterfield, *op. cit.*, 259-260.

allowed to return to their homes, as were some volunteers from Detroit. The people of Vincennes never became attached to him, and were ready at a favorable moment to desert, if such desertion would not endanger their own safety. Haldimand later expressed astonishment that a competent officer would remain at Vincennes "when he knew the impracticability of my supplying him with provisions or assistance, and after he must have received notice of the rebels approaching toward Detroit."[41] Had Hamilton's antagonist, however, been a man of ordinary caliber, his own occupation of Vincennes would have been tolerably secure.

As late as Christmas, 1778, Clark was completely in the dark concerning Hamilton's whereabouts, and supposed that McIntosh had taken Detroit.[42] Shortly after this, however, an inhabitant of Cahokia was detected in a treasonable correspondence with the British commander, in which the failure of McIntosh and Hamilton's aggressive intentions were revealed, "but not so fully expressed . . . . as to reduce it to a certainty."[43] Clark was still misled by the supposition that the enemy's first attack would be directed against Kaskaskia rather than Vincennes. In this event he determined to recall the garrison from Cahokia and concentrate his forces at Kaskaskia. In January he started for the northern town to confer with the people and determine lines of policy. While he was on the way, a party sent out from Vincennes nearly succeeded in capturing him. Failing to do this, they spread the false report that Hamilton with 800 men was marching on Kaskaskia. Clark, believing the story, was forced to return post haste to that village, where his calmness prevented a panic. The Kaskaskians were thoroughly frightened, but the arrival of Bowman's troops and a company of volunteers from Cahokia reassured them. "I believe," says Clark, "had Mr. Hamilton appeared we should have defeated him with

[41] *Colls. Ill. St. Hist. Lib.*, I, 446.
[42] *Letter to Mason,* English, *op. cit.*, I, 429.
[43] *Ibid.*

a good deal of ease, not so numerous, but the men being much better.[44] He soon learned from scouts that the "army" which gave the alarm consisted of only about forty whites and Indians "making their retreat as fast as possible to St. Vincent [Vincennes], sent for no other purpose, as we found after, than to take me."[45] The enemy he now knew to be at Vincennes.

Late in January, 1779, Francisco Vigo,[46] a merchant of St. Louis, whose business operations brought him into close contact with the Illinois and Wabash settlements, arrived in Kaskaskia from Vincennes with full information concerning that place, its capture by Hamilton, etc. From him Clark learned that no attack would be made on Kaskaskia till spring; that Hamilton had sent most of his Indians out, and had only eighty men in garrison; that belts and presents had been sent to all the tribes south of the Ohio, who were asked to meet at a general council at the mouth of the Tennessee and lay plans for the reduction of Illinois and Kentucky, and that Hamilton "made no doubt of clearing the western waters by the fall."[47] "It was at this moment," says Clark, "I would have bound myself seven years a slave to have had 500 troops."[48]

The situation was desperate. The only escape from disaster or immediate retreat from Illinois was to attack Hamilton before Hamilton attacked him. This would involve a march of over 200 miles in the dead of winter, over snow-clad prairies and drowned lands, concluded by the storming

[44] For this episode see *Letter to Mason, ibid.*, 430-435.

[45] *Ibid.*, 435.

[46] Vigo was an important figure in the annals of the Northwest. A Sardinian by birth, he had served in the Spanish army and was stationed in Louisiana. Leaving the army he became a merchant. A friendship sprang up between him and Clark, and he transferred his allegiance to the United States. He was a financial power throughout the country and rendered Clark much pecuniary service. See English, *op. cit.*, I, 267 *et seq.*

[47] For the information brought by Vigo see *Cal. Va. St. Papers*, I, 315-316; English, *op. cit.*, I, 395-402, 436, 568.

[48] *Ibid.*, 436.

of a fort—a task which Hamilton had decided was too difficult for himself to attempt. "I was sensible," wrote Clark, "the resolution was as desperate as my situation, but I saw no other probability of securing the country."[49] It was nearly a year since he had heard from the Virginia authorities. He was thrown entirely on his own resources and responsibility.[50] He called a council of his officers and found that their sentiments coincided with his own.[51] An immediate march against Vincennes was agreed upon. All was to be risked in a single encounter.[52] The issue was thus expressed by Clark: "We must either quit the country or attack Mr. Hamilton."[53]

A large boat was rigged, equipped with two four-pounders and four swivels, and manned by forty-six men under command of Lieutenant John Rogers. Loaded with stores and ammunition, the "Willing," as she was called, left Kaskaskia on February 4. Rogers was instructed to take his boat down the Mississippi and up the Ohio and Wabash to within a few leagues of the town, and there to await further orders. If discovered, he was to do the enemy all the harm possible without losing his vessel, and if Clark was defeated, he was to join Colonel David Rogers on the Mississippi.[54]

Very gratifying to Clark was the enthusiastic manner in which the French inhabitants responded at this crisis, and the evidence which they gave of attachment to himself.[55] Up to this time he had been doubtful of them, but they now proved their fidelity to the new régime.[56] Without their coöperation it is more than doubtful if he could have car-

[49] English, *op. cit.*, I, 396.

[50] *Cal. Va. St. Papers,* I, 315-316.

[51] *Letter to Mason,* English, *op. cit.*, I, 436; Bowman's *Journal, ibid.*, 568.

[52] *Cal. Va. St. Papers,* I, 315-316.

[53] *Ibid.*

[54] *Ibid.; Letter to Mason,* English, *op. cit.*, I, 436-437; Clark's *Memoir, ibid.*, 520, Bowman's *Journal, ibid.*, 568.

[55] *Colls. Ill. St. Hist. Lib.*, II, 526.

[56] *Ibid.*, lviii.

ried out his plans. They contributed liberally, both in men and in money.[57] On February 4, a volunteer company from Cahokia under Captain Richard McCarty arrived at Kaskaskia, and on the next day another one was raised under Captain Francis Charleville.[58]

With these two companies, and two companies of his troops, many of whom, it will be remembered, were creoles, under Captains Bowman and Worthington, Clark left Kaskaskia for Vincennes on February 5. He had with him about 170 men.[59] "We were conducted out of the town," says Clark, "by the inhabitants and Mr. Gibault, the priest, who after a very suitable discourse to the purpose gave us all absolution, and we set out on a forlorn hope indeed, for our whole party, with the boat's crew, consisted of only a little upwards of two hundred."[60] There were a few pack-horses, but no tents or provision for shelter. Over muddy trails and drowned lands, Clark's greatest care was to keep up the spirits of his men. After much hardship caused by the weather, the condition of the country and the failure of provisions, he arrived in the immediate neighborhood of Vincennes on February 23.[61]

His approach seems to have been entirely unexpected by Hamilton.[62] The British commander could probably have defended himself in the fort for some time; and, in the event of a regular siege, reënforcements might arrive from Detroit and oblige Clark to retire. The latter, therefore, resolved to resort to diplomacy. His men had captured a prisoner, who turned out to be friendly to the Americans

[57] See English, *op. cit.*, II, 1054, for sums collected by Clark from the French inhabitants. See also *Colls. Ill. St. Hist. Lib.*, II, li, note 3, xlvi.

[58] Bowman's *Journal*, English, *op. cit.*, I, 568.

[59] *Ibid.*

[60] *Letter to Mason*, English, *op. cit.*, I, 437.

[61] This famous march, which John Randolph compared with Hannibal's passage of the Trasimene Marsh, can be followed in the laconic journal of Captain Bowman (English, *op. cit.*, I, 568 *et seq.*). For the route taken, see Hulbert, *op. cit.*, 34 *et seq.*

[62] Bowman's *Journal*, English, *op. cit.*, I, 571-572.

and gave valuable information. The people of Vincennes, Clark knew, were not attached to Hamilton or to the government which he represented; there was, moreover, a chance that some of the Indians might abandon him. Clark accordingly sent on in advance by a prisoner a proclamation addressed "To the inhabitants of Post St. Vincent," requesting all friendly to the American cause to remain in their houses, and telling those who were opposed to it to repair to the fort and fight like men. Everyone found under arms would be treated as an enemy.[63] Before dark he appeared in sight of the town, which speedily surrendered.[64] A number of Indians joined him, and the inhabitants furnished his starving and half-naked men with food, clothing and powder.[65] A detachment of troops was sent to attack the fort, though Clark did not expect to be able to effect its reduction till the arrival of the artillery on the "Willing."[66] There was almost incessant firing for eighteen hours.[67] The hostile commanders held several conferences on December 24, and in the evening articles of surrender were signed.[68] The fort was delivered over to Clark, and the garrison became prisoners of war. The reasons given at this time by Hamilton for the surrender were remoteness from succor, the low state of provisions, the unanimity of officers and men in its expediency, and confidence in a generous enemy.[69] Clark's total casualties were—one man wounded. Though the attitude of the

[63] Bowman's *Journal,* English, *op. cit.,* I, 571-572.

[64] *Ibid.,* 397.

[65] *Mich. P. Colls.,* IX, 503.

[66] English, *op. cit.,* I, 397.

[67] *Ibid.*

[68] Bowman's *Journal,* English, *op. cit.,* I, 573-575; *Mich. P. Colls.,* IX, 504; *Letter to Mason,* English, *op. cit.,* I, 441-444; Clark's *Journal, Am. Hist. Rev.,* I, 91-94.

[69] In view of the last reason, the story told by Hamilton of Clark's savage behavior (*Mich. P. Colls.,* IX, 502) seems strange. Its truth becomes doubtful when we compare with it a letter written by Hamilton a few days after the surrender, in which he testifies to the honorable behavior of Clark's officers and men. See Hamilton to Lernoult, 28 Feb., 1779, *Bancroft MSS.*

people of Vincennes must be taken into account as a factor of great importance in Clark's victory, he had undoubtedly throughout this campaign displayed military ability of a high order. He needs, perhaps, no greater praise than that accorded by Hamilton: "The difficulties and danger of Col. Clark's march from the Illinois were such as required great courage to encounter and great perseverance to overcome."

On the morning of February 25, Fort Sackville was again occupied by Americans, and its name was changed to Fort Patrick Henry. Clark dispatched some troops to ascend the Wabash and capture a party which had been sent back by Hamilton to bring down stores from the portage at the head of the river. Forty men and seven boats loaded with provisions, together with dispatches from Detroit, were captured.[70]

On February 27, the "Willing" arrived. During her voyage from Kaskaskia she had picked up a messenger with letters from the Virginia government to Clark.[71] He was notified of his promotion to the rank of full colonel, and reënforcements were promised.

In a few days Hamilton, his officers and a few men, were sent under guard to Williamsburg, where they arrived in June. Hamilton was kept in confinement till October, 1780. General Haldimand protested against this,[72] but Governor Jefferson justified it on the grounds of "national retaliation," and "personal punishment" for his instigation of Indian atrocities. The terms of the capitulation, Jefferson asserted, did not guarantee Hamilton against confinement.[73] After being exchanged, Hamilton finally reached England in 1781. In the account of these campaigns which he wrote, he attributes his failure "chiefly if not entirely to the treachery of persons whom I had reason to expect lenity and moderation would have gained."

[70] *Letter to Mason,* English, *op. cit.,* I, 444.

[71] Bowman's *Journal, ibid.,* 575, and Clark to the governor of Virginia, 29 Apr., 1779, *ibid.,* 398.

[72] Haldimand to Washington, 29 Aug., 1779, *Bancroft MSS.*

[73] *Writings of Jefferson,* Ford's ed., II, 248 *et seq.*

Upon the disposition of the Indians the effect of Hamilton's capture was great. It was to him they looked for guidance and instructions, and the disaster which befell him cooled their ardor for the British cause.[74] Haldimand called Hamilton's defeat a second "tour de Burgoyne."[75] In the spring and early summer information reached Quebec from the lake posts that the spirit of the Indians was shaken. The friendship of the Illinois French for Clark contributed to the same result.[76] The attitude of the French in the lake posts and in Quebec, upon whom the French treaty of 1778 had its natural effect, alarmed the British authorities. Haldimand knew the Americans had not abandoned their designs on Canada.[77] Small parties were constantly entering the province and escaping unhurt.[78] The home government was aware of the importance and gravity of the situation in Canada.[79] Clark, indeed, had accomplished a more important work than he knew. Had Hamilton been able to maintain himself at Vincennes, and bring about the wholesale onslaught upon the American settlements which he had been contemplating, the American cause in the West would have suffered a disaster.

Clark remained at Vincennes till March 20, when he returned to Kaskaskia. While at Vincennes, he concluded a number of treaties with the Wabash Indians, who flocked to the village to take the child of fortune by the hand.[80]

The dispatches brought to him by the "Willing," as has been explained, were encouraging, and he was led to hope for the reduction of Detroit.[81] They informed him that reënforcements would be sent from Virginia. He knew

[74] For the effect on the Indians of Hamilton's defeat, see *Mich. P. Colls.*, IX, 382, 429; XIX, 383, 393. See also *Rept. on Can. Archives*, 1885, 326.

[75] *Rept. on Can. Archives*, 1886, 471.

[76] *Mich. P. Colls.*, IX, 382.

[77] Haldimand to Clinton, 10 Nov., 1778, *Bancroft MSS.*

[78] *Colls. Ill. St. Hist. Lib.*, I, 447-448.

[79] Germain to Clinton, 4 Nov., 1778, *Bancroft MSS.*

[80] *Letter to Mason*, English, *op. cit.*, I, 445-448.

[81] English, *op. cit.*, I, 399.

that the Illinois militia would turn out for an expedition against Detroit, and he believed that he could secure two or three hundred men from Kentucky.[82] The French inhabitants, moreover, manifested commendable zeal in the proposed enterprise.[83] Clark felt with true military instinct that the time to attack Detroit was before the enemy recovered from the shock of Hamilton's defeat. Three hundred men, he thought, would suffice to capture the place, weakened as it was both by the loss of Hamilton's force, and by the existence of a pro-American sentiment among the French inhabitants.[84] The commanding officer at Detroit, in expectation of an American attack, prepared himself as well as he could.[85]

When Clark returned from Vincennes to Kaskaskia he found his force strengthened by the arrival of a company from New Orleans under Captain Robert George.[86] But disappointments were in store. Captain Montgomery arrived from Virginia at the close of May, with, however, only half the men Clark had expected.[87] In July, instead of the two or three hundred promised him from Kentucky only about thirty arrived.[88] It was with genuine sorrow that he was forced temporarily to abandon the plan near to his heart. His settled conviction was that the frontiers could enjoy no lasting tranquility with Detroit in British hands.[89] The reason why it was never captured by the Americans was always the same, want of men. The narrative of Clark's further efforts to capture it is not germane to the present study. They will, therefore, be

[82] *Ibid.*, 444.

[83] Bowman to Clark, 28 May, 1779, *Colls. Ill. St. Hist. Lib.*, II, 611.

[84] English, *op. cit.*, I, 399, 449. For proof of the weakness of Detroit see Hamilton to Haldimand, 27 Sept., 1778, *Mich. P. Colls.*, IX, 481.

[85] *Ibid.*, 407.

[86] English, *op. cit.*, I, 399.

[87] *Cal. Va. St. Papers*, III, 442; *Letter to Mason*, English, *op. cit.*, I, 449.

[88] *Ibid.*, 450.

[89] *Ibid.*, 400, 448.

referred to only so far as necessary to understand the course of events in Illinois.

In the summer Clark divided his small forces between Kaskaskia, Cahokia, Vincennes and the Falls of the Ohio,[90] taking up his headquarters at the last-mentioned place "as the most convenient spot to have an eye over the whole."[91] The post which he had established the previous year at Corn Island to secure communication between Kentucky and Illinois[92] had been garrisoned by the families who had followed him. In his absence they had crossed to the south side of the Ohio, where they were laying the foundations of Louisville. This post, strengthened and fortified by Clark, contributed to the further settlement of Kentucky.[93] Montgomery was placed in general charge of the troops in Illinois, with headquarters at Kaskaskia.[94] McCarty was put in command of the detachment at Cahokia,[95] while Helm was left in charge at Vincennes.[96]

[90] *Cal. Va. St. Papers,* III, 433.

[91] Clark's *Memoir,* English, *op. cit.,* I, 553.

[92] *Cal. Va. St. Papers,* III, 441.

[93] The town of Louisville was established by act of the General Assembly of Virginia in May, 1780; Hening, *op. cit.,* X, 293.

[94] *Cal. Va. St. Papers,* III, 442, and Clark's *Memoir,* English, *op. cit.,* I, 553.

[95] *Colls. Ill. St. Hist. Lib.,* II, 548.

[96] Clark's *Memoir,* English, *op. cit.,* I, 550.

CHAPTER VI.

ILLINOIS UNDER VIRGINIA, 1778-1783.

The campaign which resulted in the capture of the British posts in Illinois was an enterprise planned and executed by Clark under authority of the State of Virginia. Though many of the people of Illinois imagined that he was acting under authority of Congress, that view was, as has been shown, entirely erroneous. Clark, his captains, and most of his men were Virginians. His recruits were Virginia militia, and not on the Continental establishment.[1]

From July, 1778, to May of the following year the only government in Illinois was that exercised by him. The posts were held by his officers and Virginia's authority was sustained by his militia. In the secret instructions given to him by Governor Henry in January, 1778, he was directed to treat the inhabitants of Illinois as fellow-citizens, and see that their persons and property were secure, if they would "give undoubted evidence of their attachment to this state . . . . by taking the test prescribed by law." Clark was obliged to devote a large part of his time to civil administration, pending the formal organization of a government by Virginia. It was his policy to attach the people to the new régime by making government mild.[2] Business was done without the imposition of fees.[3] He established "courts of civil judication" at Cahokia, Vincennes, and probably at Kaskaskia, with right of appeal to himself in certain cases.[4] The members of the courts were elected by the people. The Cahokia court began its sessions at least as early

[1] For the campaign as an example of state sovereignty see Van Tyne, "Sovereignty in the American Revolution," *Am. Hist. Rev.*, XII, 541.

[2] *Letter to Mason,* English, *op. cit.*, I, 428.

[3] Clark's *Memoir, ibid.*, 498.

[4] *Ibid.*, 484. Alvord (*Colls. Ill. St. Hist. Lib.*, II, xlviii) thinks Clark may be mistaken about the establishment of a court at Kaskaskia.

as October, 1778.[5] It was composed almost entirely of creoles. Clark was successful in winning the favor of the inhabitants, which he never wholly lost. The enthusiasm with which they rallied to his support in the Vincennes campaign proves at least that, at that time, they preferred him to the reëstablishment of British control.[6] Clark appears to have taken a serious view of his duties, and to have tried to provide for the safety and welfare of the people. He was obliged to employ stringent measures to suppress disorders in Kaskaskia which were attributed to the slaves. Several murders had been committed. On December 24, 1778, he issued an order forbidding slaves to walk the streets after sunset without their masters' permission, and prohibited the sale of liquor to them.[7]

In the first flush of enthusiasm following his appearance and the news of the French-American alliance, listening to the new talk of liberty, and many of them believing, they knew not how, that they would speedily be restored to France, the people of Illinois gave freely to Clark, receiving in return Continental paper money or drafts on the treasurer of Virginia or on Oliver Pollock.[8] The paper money was worth only a small fraction of its face value, but the unsuspecting French for a while accepted it at par.[9] Pollock exerted himself to maintain the credit of Virginia,[10] but it was sinking rapidly. Had it not been for the assistance of the French, and the English-speaking merchants, Clark could not have maintained himself.[11] The financial basis of his government was unsound, and as soon as the enthusiasm which had greeted his appearance subsided trouble was bound to arise.

[5] *Colls. Ill. St. Hist. Lib.*, II, 2.

[6] For evidence of attachment to Clark at this time see *ibid.*, 526.

[7] For this episode see *ibid.*, xlviii-xlix, 13 *et seq.*

[8] A number of these drafts in payment for supplies for the troops furnished by the creoles, are in *Illinois Papers* (MSS.) in the Virginia State Library. They were signed by Clark, and were drawn on Pollock, or the treasurer of Virginia, usually at thirty days.

[9] *Colls. Ill. St. Hist. Lib.*, II, l, and notes.

[10] Evidence of this is in the *Illinois Papers* (MSS.).

[11] *Colls. Ill. St. Hist. Lib.*, II, li, and notes.

It is probable that when Montgomery escorted Rocheblave to Williamsburg, the letters which he carried from Clark to Governor Henry suggested the establishment of civil government for Illinois. To Clark, who desired to concentrate his attention on military matters, civil affairs were distasteful.[12] The arrival of Montgomery's party in eastern Virginia in the autumn of 1778 naturally aroused excitement and interest. A regular government had to be created for the French villages, for Illinois was something other than conquered territory which could be held under prolonged military rule.

On November 14, Governor Henry wrote a letter informing Virginia's delegates in Congress of the successful issue of Clark's expedition, and suggesting the possibility of his coöperation with measures which Congress might have in view respecting the West.[13] On November 19, Clark's communications were referred to a committee of the assembly, which prepared a bill for the establishment of county government for Illinois.[14] This was reported to the house of delegates on the thirtieth, and passed December 9. A few days later it was passed by the senate.[15]

The preamble of the act declared that several British posts within the territory of Virginia had been captured by the militia of the commonwealth; that the inhabitants had taken an oath of fidelity and acknowledged themselves citizens of Virginia; that they ought to be protected; and that, since it might be impracticable to govern them immediately by the laws of the commonwealth, a temporary government should be established. All citizens of Virginia settled, or about to settle, west of the Ohio, including the Illinois French who had become citizens, were formed into a "distinct county," to be called "Illinois County." No

[12] *Letter to Mason,* English, *op. cit.,* I, 449.

[13] English, *op. cit.,* I, 245-247. November 16, the date given in English, is wrong. The original of this letter is in the *Papers of the Continental Congress,* Library of Congress, volume lettered "Virginia State Papers," vol. I.

[14] Rowland, *Life of George Mason,* I, 307.

[15] *Colls. Ill. St. Hist. Lib.,* II, 9, note.

definite boundaries were established. The governor, with the consent of the council, was empowered to appoint a county-lieutenant, to hold office during pleasure, who might appoint and commission deputy-commandants, militia officers and commissaries, during pleasure. The inhabitants were to enjoy their religion, civil rights and property. All civil officers to whom the people had been accustomed were to be chosen by a majority of the citizens, convoked by the county-lieutenant in the respective districts which might be established. They were to be commissioned by the county-lieutenant, paid in the customary manner, and were to conduct themselves according to the laws to which the people had been used. For the payment of officials to whom the people had not been accustomed, the governor, with the advice of the council, was empowered to draw warrants on the treasury of Virginia up to £500. The county-lieutenant might pardon any crime except murder or treason. In these he might respite execution, till the sense of the Virginia government was obtained. The governor was authorized to raise 500 men, to march immediately to Illinois. The act was put in force for twelve months, and thence "to the end of the next session of Assembly, and no longer." It was thus temporary in its nature and intended operation.[16] It was afterwards extended to 1781,[17] when it legally expired; after that, till the enactment by Congress of the Northwest Ordinance in 1787, there was no legal government in the country northwest of the Ohio.[18] The act reveals a wise and conservative spirit, and a desire on the part of Virginia's legislators to make the transition to American government in Illinois as easy as possible.

Governor Henry quickly took measures to set in motion the machinery for the establishment of civil government. He appointed John Todd, a Pennsylvanian by birth but a citizen of Virginia, as county-lieutenant. Todd had been

[16] For the text of the act see Hening, *op. cit.*, IX, 552 *et seq.*

[17] *Ibid.*, X, 303-304.

[18] For the civil organization of Illinois see Boyd, "The County of Illinois," *Am. Hist. Rev.*, IV, 623 *et seq.*; English, *op. cit.*, I, ch. IX.

one of the first settlers of Kentucky, and had represented it as a county in the Virginia Assembly. The governor's choice was wise, for Todd, though he did not know French,[19] was acquainted with western life and conditions, and probably possessed more education and knowledge of the law than any other American frontiersman.[20] Henry's letter of instructions to him, dated December 12, 1778, is complete and judicious, and shows a realization by its author of the truth proclaimed by Burke, that "the temper of the people amongst whom he presides ought to be the first study of a statesman."[21] Todd was urged to improve upon the favorable condition existing in Illinois, and to cultivate the friendship of the inhabitants and the Indians. As he was "unacquainted in some degree with their genius, usages and manners, as well as the geography of the country," he was to consult and advise with the most intelligent of the inhabitants. He was to coöperate whenever possible with Clark and to aid the military. "The inhabitants of the Illinois," wrote Henry, "must not expect settled peace and safety while their and our enemies have footing at Detroit, and can intercept or stop the trade of the Mississippi." Hope was expressed that the French of Detroit might be brought to coöperate with an expedition against that place, but if this was found impracticable, the new authorities in Illinois were to content themselves with measures of defense only. One advantage hoped for from the possession of Illinois was the cessation of Indian raids south of the Ohio. A close attention to the disposition and movements of the hostile tribes was therefore regarded as necessary. "I know of no better general direction to give than this," ran the instructions, "that you consider yourself at the head of the civil department and as such having command of the militia, who are not to be under the command of

[19] Mason, *Early Chic. and Ill.*, 287.

[20] *Colls. Ill. St. Hist. Lib.*, II, liv.

[21] For these instructions see English, *op. cit.*, I, 249, *et seq.*, or Boyd, *op. cit.*, *Am. Hist. Rev.*, IV, 625 *et seq.*, or Mason, *Early Chic. and Ill.*, 289 *et seq.*

the military until ordered out by the civil authority and to act in conjunction with them." The county-lieutenant was instructed to impress upon the people the value of their newly-acquired liberty. Hope was held out that in a short time they might expect "a free and equal representation . . . . together with all the improvements in jurisprudence and police which the other parts of the state enjoy." . . . . "Let it be your constant attention," urged Henry, "to see that the inhabitants have justice administered to them for any injury received from the troops, the omission of this may be fatal.[22] . . . . You will embrace every opportunity to manifest the high regard and friendly sentiments of this commonwealth towards all the subjects of His Catholic Majesty . . . . you will make a tender of the friendship and services of your people to the Spanish commandant near Kaskaskia and cultivate the strictest connection with him and his people. . . . . A general direction to act according to the best of your judgment in cases where these instructions are silent, and the laws have not otherwise directed, is given to you from the necessity of the case, for your great distance from government will not permit you to wait for orders in many cases of great importance. . . . . The matters given you in charge are singular in their nature and weighty in their consequences to the people immediately concerned and to the whole state. They require the fullest exertion of your abilities and unwearied vigilance."

On the same day, the governor wrote an equally statesmanlike letter to Clark, directing him to retain command of the troops already in Illinois, and to assume command of the five new companies to be raised under the recent act of the legislature. To prevent a continuation of Indian depredations south of the Ohio, Clark was instructed to establish such new posts as he saw fit. "I consider your further success," wrote Henry, "as depending upon the goodwill and friendship of the Frenchmen and Indians who

[22] In view of subsequent events this injunction seems almost prophetic.

inhabit your part of the commonwealth. With their concurrence great things may be accomplished. But their animosity will spoil the fair prospects which your past successes have opened. You will therefore spare no pains to conciliate the affections of the French and Indians. Let them see and feel the advantages of being fellow citizens and freemen. Guard most carefully against every infringement of their property, particularly with respect to land, as our enemies have alarmed them as to that. Strict and even severe discipline with your soldiers may be essential to preserve from injury those whom they were sent to protect and conciliate." Clark was instructed to coöperate with the civil department when necessary. "Much will depend upon the mutual assistances you may occasionally afford each other in your respective departments, and I trust that a sincere cordiality will subsist between you." The possibility of attacking Detroit was dwelt upon. Clark was "to push at any favorable occurrences which fortune may present. . . . . For our peace and safety are not secure while the enemy are so near as Detroit." He was also to cultivate the friendship of the Spaniards. Extensive discretionary powers were given to him.[23]

The governor, also on the same day, wrote a letter of instructions to Montgomery, who had been promoted to the rank of lieutenant-colonel. He was to superintend and hasten the recruiting of the five new companies. "Our party at Illinois," wrote Henry, "may be lost, together with the present favorable disposition of the French and Indians there, unless every moment is improved for their preservation."[24] As already explained, only a part of this additional force ever reached Clark.[25] We shall see that it was the very dangers which Henry feared that wrecked Virginia's government in Illinois.

Todd arrived at Kaskaskia to take up the duties of county-lieutenant and head of the civil department in the

[23] For the instructions to Clark see English, *op. cit.*, I, 253, *et seq.*

[24] For the instructions to Montgomery see Henry, *op. cit.*, III, 216 *et seq.*

[25] *Cf. supra*, ch. V.

first half of May, 1779.[26] His appearance was welcomed by the people and by Clark; the two men were already acquainted, and Clark was glad to be rid of civil affairs.[27] Todd's first duty was to organize the militia under authority of Virginia. Clark had confirmed the creole militia officers who had been serving during the period of British government. They were now for the most part retained. Richard Winston of Kaskaskia, a leading member of the eastern merchant class, was indeed appointed commandant of militia in that village. But Legras was retained in command of the Vincennes militia,[28] and all others commissioned by Todd bore French names.[29]

For civil administration, the county was divided into three districts: Kaskaskia, including Prairie du Rocher, St. Philippe, and the little village around Fort Chartres; Cahokia, including Prairie du Pont and Peoria; and Vincennes, including the lower Wabash valley.[30]

In Todd's instructions stress had been laid upon the administration of justice, and the act creating the county of Illinois had decreed that all civil officials to whom the people had been accustomed should be chosen by a majority of the citizens in their respective districts.[31] Under French government there had been no clear distinction between executive and judicial functions.[32] During most of the period of British administration, the military commandant, appointed, of course, from without, had acted as judge, with the assistance of justices in the villages.[33] Under neither régime had the inhabitants acquired any experience in self-government. But Clark had established courts elected by the people, which were in existence when Todd

[26] Mason, *Early Chic. and Ill.*, 287.
[27] *Letter to Mason,* English, *op. cit.*, I, 449.
[28] *Am. St. Papers,* "Public Lands," I, 10.
[29] Mason, *Early Chic. and Ill.*, 294; *Colls. Ill. St. Hist. Lib.,* II, lvi.
[30] *Ibid.*, lvii.
[31] *Cf. supra.*
[32] Alvord, *Illinois in the Eighteenth Century,* 16.
[33] *Colls. Ill. St. Hist. Lib.,* II, lvii.

arrived. This model the county-lieutenant determined to follow.

Civil government under authority of Virginia was formally inaugurated on May 12, 1779. On that day the people of Kaskaskia were called together in an assembly in front of the church, always the meeting place and most important edifice in the French colonial village. Clark presided. His address in French was written and read by an interpreter. He praised the people for their efforts in the Vincennes expedition, presented Todd as their governor, and urged them to elect the best persons as judges of their court.[34] A French speech by Todd, also read by an interpreter, followed.[35] He expressed thanks for his reception, and declared that the State of Virginia was actuated only by pure motives. Distance, he said, made it impracticable for the new county to send representatives to the Virginia Assembly, but representation, if desired, would be granted in the future.[36]

The assembly then proceeded to the election of the judges. Six men, all of them French, were chosen, headed by the most distinguished inhabitant, Gabriel Cerré. All of those elected had cordially accepted Clark's régime. A few days later, representatives in the court were elected from Prairie du Rocher and St. Philippe, bringing the number of justices for the Kaskaskia district up to nine.[37] On May 21, Todd commissioned these men, "justices of the peace for the District of Kaskaskia and judges of the court of the said district in cases both civil and criminal." Any four or more of them were authorized to constitute a court, before which should be cognizable all actions and cases of which the courts of the other counties of Virginia had cognizance. Their judgments were required to have the concurrence of at least a majority, and to be entered with

[34] *Ibid.*, lvii-lix.

[35] His later proclamations were regularly issued in French. See Todd's *Record-Book, passim;* Mason, *Early Chic. and Ill.*, 289-316.

[36] *Colls. Ill. St. Hist. Lib.*, II, lix-lx.

[37] *Ibid.*, lxi.

the proceedings previous and subsequent, and recorded in books provided for the purpose.[38] The court chose a clerk, and Winston was appointed sheriff.[39] A prosecuting officer, or state's attorney, was appointed by Todd.

The court for the district of Cahokia was soon established and was in session early in June.[40] Most of the justices who had served under Clark's authority were reëlected.[41] The Cahokia court appears to have numbered seven, four of whom were necessary for a quorum.[42]

In June, a similar court was established for the Vincennes district.[43] It consisted of nine justices, six of whom were elected from the village of Vincennes and the rest from the neighboring posts.[44] It resembled the other courts in essential features.

In these courts, monthly sessions were the rule, though occasional special sessions were held.[45] The records were naturally kept in French.[46] Individual justices had jurisdiction in civil cases up to twenty-five shillings, as elsewhere in Virginia. The law was French, the "coutume de Paris," somewhat modified by the laws of Virginia. Attempts were made to imitate English forms; but on the whole, as was to be expected in courts composed of French creoles, French practice was followed. Juries, though employed in criminal cases[47], were not popular. In civil cases litigants usually preferred to have the court decide. To the French it seemed

[38] *Colls. Ill. St. Hist. Lib.,* II, lxi.
[39] *Ibid.*
[40] *Ibid.,* 13.
[41] *Ibid.,* lxii.
[42] *Ibid.,* lvii.
[43] *Am. St. Papers,* "Public Lands," I, 10.
[44] *Colls. Ill. St. Hist. Lib.,* II, lvii, lxii.
[45] *Ibid.,* lxii.
[46] *Cf.* "Cahokia Court Records," *Colls. Ill. St. Hist. Lib.,* II, 22-447, *passim.* Records in the courts established by Clark seem to have been kept in English, *ibid.,* 4 *et seq.*
[47] *Ibid.,* 12-21. For a jury trial in the Cahokia court see *ibid.,* 70. The statement that juries were not introduced till after the Ordinance of 1787 (Boyd, *op. cit., Am. Hist. Rev.,* IV, 632) is wrong.

juster than submission of facts to a jury.[48] Prosecutions were brought by the state's attorney.[49] The opinion that these courts did very little work[50] is disposed of by the careful records of the Cahokia court.[51] The scarcity of competent persons in Illinois accounts, no doubt, for the fact that the names of men holding militia commissions are encountered as judges.

The problem confronting Todd was exceedingly difficult. He was called upon to preside over French creoles and American merchants, traders and pioneers, a truly heterogeneous population. The knowledge of the French-American alliance and the enthusiasm felt for Clark and the United States had almost brought the French and the Americans together. But it was a temporary union. They differed not more in race, language and religion, than in temperament, taste and tradition. But other and more fatal difficulties were not slow in making their appearance.

The paper money in which the creoles had been paid for supplies furnished to Clark's men was a cause of endless trouble. As stated above, it was greatly depreciated, but was for a time accepted at par. The possibility of making profits out of it proved attractive to "Yankee" speculators, who arrived in Illinois in the spring of 1779, while Clark was on the Vincennes expedition. They outbid one another, offering fabulous prices, and the people woke up to the fact that they had been swindled and refused to accept the money. Clark would have been in a pitiable position, indeed, had not some of the merchants supplied him with necessaries.[52] The natural result was an enormous rise of prices, which was enhanced by the fact that the American occupation of Vincennes, blocking the most important commercial route between Illinois and Canada, caused a

[48] *Colls. Ill. St. Hist. Lib.,* II, lxiii.

[49] *Ibid.,* lxi, 18 *et seq.*

[50] Boyd, *op. cit., Am. Hist. Rev.,* IV, 632. When this was written, however, the Kaskaskia and Cahokia records had not yet been brought to light.

[51] See *Colls. Ill. St. Hist. Lib.,* II, *22 et seq.*

[52] English, *op. cit.,* I, 400-401.

scarcity of commodities.[53] The people of Illinois felt and continued to feel that they had been deceived and cheated by the Virginians.

Before his arrival in Illinois, Todd learned that Congress had ordered the issues of Continental money dated May 20, 1777, and April 11, 1778, to be paid into the Continental loan offices by June 1, 1779. Otherwise they would be worthless.[54] The hardship and injustice which this measure would work in Illinois can readily be imagined. Todd thought that a time extension should be given to the people, who had not only accepted the money, but had taken it at face value. He accordingly ordered all the paper of the called-in emissions to be removed from circulation and sealed up.[55]

For this he was blamed by some, on the ground that it was injurious, and even fatal to Virginia's credit.[56] The people of Kaskaskia received certificates from Todd in exchange for the paper money. At Vincennes, Legras was instructed to see that all the money of the called-in emissions was sealed up, and to give the holders certificates. These Todd hoped Congress would some day redeem.[57] About $15,000 of greatly depreciated paper was thus removed from circulation in and about Kaskaskia, but a great many notes of these issues remained in possession of the inhabitants and became worthless.[58] By the summer of 1779 it became almost impossible to purchase supplies for the troops.[59] Hence animosity was engendered between the military and civil authorities. The former seem to have thought Todd was responsible for the growing difficulty of procuring provisions and accused him of

[53] *Cal. Va. St. Papers,* III, 501.

[54] *Colls. Ill. St. Hist. Lib.,* II, lxxi. For this resolution of Congress (2 Jan., 1779) see *Pennsylvania Archives,* VII, 156.

[55] Mason, *Early Chic. and Ill.,* 317.

[56] *Colls. Ill. St. Hist. Lib.,* II, lxxiii.

[57] Mason, *Early Chic. and Ill.,* 320-321.

[58] *Colls. Ill. St. Hist. Lib.,* II, lxxi.

[59] *Ibid.,* 614-615.

championing the French.[60] This was not true, for Todd, in trying to bolster up Virginia's credit, ordered the people to receive Continental money at a par with Spanish piasters.[61] In Vincennes several persons were imprisoned for refusing.[62] Todd's policy was, of course, equivalent to a system of forced loans. The legislature of Virginia finally committed itself to this policy by passing an act in March, 1781, ordering that all bills of credit emitted by Congress and the state of Virginia, as well as all bills of credit issued by the governor, should "to all intents and purposes" be considered as legal tender.[63] The unfortunate creoles were also subjected to the evils of counterfeit money.[64]

Some of the acquisitive Easterners who reached Illinois in the summer of 1779 engaged in land speculation.[65] On June 14, Todd issued a proclamation relating to this subject. To protect just claims, every inhabitant was required to lay before persons chosen in each district for the purpose a memorandum of his land, with vouchers, depositions, or certificates to support his claim. The memorandum was to prove the title. New settlements on the "flat lands" of the Mississippi, Ohio, Illinois and Wabash rivers, or "within one league of said lands," unless in the French form of settlement, were forbidden until further orders.[66] It was the policy of Virginia to confirm and protect the titles and property rights of her new citizens and to prevent private purchase of land from the Indians.[67] In May, 1779, the Virginia Assembly passed an act declaring that the commonwealth had the exclusive right of purchasing lands

[60] For evidence of the breach between Todd and the military see *ibid.*, 615-616.

[61] See a memorial of the people of Vincennes to the governor of Virginia, 30 June, 1781, English, *op. cit.*, II, 738.

[62] Mason, *Early Chic. and Ill.*, 328-329.

[63] Hening, *op. cit.*, X, 398.

[64] Mason, *Early Chic. and Ill.*, 328-329.

[65] *Ibid.*, 318-319.

[66] Proclamation relating to land, by Todd, 14 June, 1779, *ibid.*, 301.

[67] Hening, *op. cit.*, X, 161-162.

from the Indians within its chartered limits. Private purchases both past and future, were declared void.[68] The assembly also forbade new settlements northwest of the Ohio.[69] Sometimes, if nobody could successfully claim it, land was adjudged to the state.[70] Todd believed that purchases by individuals from the Indians should be prevented under fine, and also that new settlements should be made only under certain regulations.[71] After his departure from Illinois, however, no attention was paid either to his proclamation or to the Virginia law.[72] The Vincennes court, with the concurrence of Legras, assumed authority to grant land, and kept on doing so for several years. They later sought to justify their course by saying that former commandants at Vincennes had exercised this power, and that they had done it with Legras' permission.[73]

But the support of the troops was probably Todd's most difficult problem. They required food and clothing. The people would no longer sell supplies for paper money, and many drafts on Virginia and on Oliver Pollock were protested.[74] Unauthorized drafts seem to have been made on other sources.[75] On June 15, 1779, while the expedition against Detroit[76] was under discussion, Todd, anticipating an absence from Kaskaskia, instructed Winston to consult the members of the court regarding supplies which Clark might want. If the people, having it in their power, refused to dispose of their goods, Winston was authorized to impress provisions "valuing the property by two men upon oath." On no account was he to give the troops a pretext for "forcing" property.[77] On August 11, Todd, by proclama-

[68] Hening, *op. cit.*, X, 97-98.
[69] *Ibid.*, 557, and Rowland, *op. cit.*, I, 364-365.
[70] Mason, *Early Chic. and Ill.*, 308.
[71] *Ibid.*, 318.
[72] *Colls. Ill. St. Hist. Lib.*, II, lxx.
[73] *Am. St. Papers*, "Public Lands," I, 10, 16, 71.
[74] *Colls. Ill., St. Hist. Lib.*, II, lxxv.
[75] Mason, *Early Chic. and Ill.*, 322.
[76] See *supra*, ch. V.
[77] Mason, *Early Chic. and Ill.*, 302.

tion, invited the people of Kaskaskia to contract with commissaries appointed to procure provisions for the troops. "I hope," he said, "they'll use properly the indulgence of a mild government. If I shall be obliged to give the military permission to press, it will be a disadvantage, and what ought more to influence freemen, it will be a dishonor to the people."[78] On August 20, Colonel Montgomery proposed that one of the citizens of Kaskaskia be appointed to assess the inhabitants for the support of the troops.[79] Evidently the former enthusiasm and self-denial of the people were now things of the past.

On August 22, the county-lieutenant issued another proclamation enjoining the inhabitants of the county from exporting provisions for a period of sixty days, "unless I shall have assurances before that time that a sufficient stock is laid up for the troops, or sufficient security is given to the contractors for its delivery whenever required." Violations of this order were to be punished by imprisonment for one month.[80] Measures were taken to put this proclamation in execution in the other villages as well as in Kaskaskia.[81] The Kaskaskia court levied assessments on the inhabitants and a considerable amount of supplies was thus secured for the time, with the natural result of widening the breach between the people and the government.

This breach was made irreparable by Todd's policy of supporting the troops on Virginia's credit, when her treasury was empty and her credit gone. Pollock at New Orleans found it increasingly difficult to borrow on the state's credit for the purpose of negotiating bills drawn against himself.[82] Perhaps it would have been impossible for any man in Todd's position to have succeeded. In his instructions he had been told to aid the military and defend the rights and liberties of the people. These two injunc-

[78] *Ibid.*, 305.
[79] *Colls. Ill. St. Hist. Lib.*, II, lxxvi-lxxvii.
[80] Mason, *Early Chic. and Ill.*, 306.
[81] *Ibid.*, 321.
[82] *Ibid.*, 323.

tions, with the development of circumstances, were incompatible. The support of the troops, with conditions as they were, meant injustice to the people. Todd tried to do his duty, but his position was an impossible one. He soon became convinced of the hopelessness of it. As early as August 18, 1779, in a letter to the governor of Virginia, he asked permission to attend the legislature the following spring, and "get a discharge from an office which an unwholesome air, a distance from my connections, a language not familiar to me, and an impossibility of procuring many of the conveniences of life suitable, all tend to render uncomfortable."[83] In November of that year, he left Kaskaskia for Kentucky, and arrived at the Falls of the Ohio in December.[84] He did not, however, resign his position as county-lieutenant, and returned for a short time in 1780.[85] Correspondence was continued between him and the people and officials in Illinois, and as long as he lived[86] he took a lively interest in the affairs of the county.[87] Before leaving, he appears to have abandoned his earlier opposition to "forcing" supplies,[88] for he gave a general consent to impressment by the troops of the property of the people.[89] After his departure Winston served as his deputy.[90]

Very early in the life of the court established by Todd at Kaskaskia we find the creole judges championing the interests of the inhabitants against the troops. Probably the very qualities which had fitted Clark's men for the work they had accomplished unfitted them for dwelling peaceably among the people. The typical American frontiersman—and that was the class from which Clark's men had

[83] Mason, *Early Chic. and Ill.*, 287.

[84] See dates of letters in *Cal. Va. St. Papers*, I, 358; see also *Colls. Ill. St. Hist. Lib.*, II, 617.

[85] *Ibid.*, lxxix-lxxx.

[86] He was killed in the Battle of the Blue Licks in 1782.

[87] Mason, *Early Chic. and Ill.*, 335.

[88] *Ibid.*, 302.

[89] *Colls. Ill. St. Hist. Lib.*, II, lxxviii.

[90] Mason, *Early Chic. and Ill.*, 302, and *Colls. Ill. St. Hist. Lib.*, II, lxxix.

been recruited—possessed many virtues. He was hardy, self-reliant and brave. But he was not distinctively peace-loving, or law-abiding. His passionate belief in himself and in his race filled him with contempt for other peoples. He was usually self-assertive and boastful. His fierce individualism and aggressive democracy caused him to pay little respect to constituted authority. He considered himself the equal of any American, and immeasurably superior to men of other races. To him, no doubt, the gentler and more refined qualities of the French creoles suggested effeminacy and cowardice. These people spoke, moreover, a language he could not understand, and in religion there was no common ground upon which the followers of Calvin could meet the adherents of Loyola. Clark, popular with both, had, no doubt, done much to ward off a clash between them. But even he could not permanently have prevented it, and when he took up his headquarters at the Falls of the Ohio, his immediate influence was at an end.

As early as May 24, 1779, the court of the Kaskaskia district addressed a memorial to Todd setting forth the grievances of the people. The soldiers had been seizing and killing their animals. Even beasts of burden had not been spared. "We have always been ready," said the memorialists, "to furnish animals for the garrison in so far as it was in our power, and are still ready as far as we have resources. If it is permitted that our beasts of burden be killed, how can we cultivate our fields, and furnish the needs of the garrison and those of our families?" The evil of trade in intoxicants with the Indians was also complained of. Todd was requested to prohibit this, and also to forbid traffic with slaves without their masters' permission.[91] The first of these evils, the killing of cattle, was the greatest, and of it we have constant complaint from this time on.[92]

[91] *Colls. Ill. St. Hist. Lib.*, II, lxvii-lxviii.

[92] Mason, *Early Chic. and Ill.*, 337-338; *Colls. Ill. St. Hist. Lib.*, II, lxxx, 548; English, *op. cit.*, II, 738; *Cal. Va. St. Papers*, II, 192-193, *Address to Congress from the French Inhabitants of Post Vincennes, Kaskaskia*, etc., 1788.

Conditions were bad enough while Todd remained in Illinois. They became worse when he left. The methods which had made Wallenstein's army the scourge of Germany were regularly employed by the troops. The worst features of militarism appeared. Tyranny and brigandage was the rule of the day.[93] It was not only from seizures of their property that the people suffered. Troops were quartered in their homes, for whose board only worthless notes were given.[94] In December, 1779, in response to a petition from the inhabitants, the Kaskaskia court demanded of Montgomery that the troops should be prevented from seizing property without their order, and threatened to appeal to the governor and assembly of Virginia. To this Montgomery paid no heed. He even threatened to treat persons who refused supplies as traitors "to the cause of America."[95]

The troops were recalled from Cahokia in the autumn of 1779,[96] much to the joy of the inhabitants. Richard McCarty, commander of the detachment stationed there, had made himself odious to the people by playing the rôle of military tyrant.[97] He wrote to Todd in October 1780, ". . . . we are become the hated beasts of a whole people . . . . the people are now entirely alienated against us."[98] In January, 1780, Montgomery asked the people of Cahokia for supplies.[99] The court agreed that a census should be taken and the people forced to contribute according to their capacity.[100] It is pathetic to find the Cahokians asking Clark for aid, but expressing fears lest he should send more men than they could support.[101]

[93] *Colls. Ill. St. Hist. Lib.,* II, lxxx.
[94] *Ibid.,* 546.
[95] *Ibid.,* lxxxi-lxxxii.
[96] *Ibid.,* 546.
[97] Mason, *Early Chic. and Ill.,* 335.
[98] *Ibid.,* 337-338.
[99] *Colls. Ill. St. Hist. Lib.,* II, 34.
[100] *Ibid.,* 34, 36.
[101] *Ibid.,* 531.

It is evident that the civil authorities were unable to remedy the evils of military oppression. Winston, Todd's deputy, had never been popular with the French,[102] and was suspected by them, as well as by the troops. He quarreled with Montgomery, and accused him of attempting to bring the county under military rule and to throw off the civil authority altogether.[103] He was for a time actually imprisoned by military order.[104] But he seems to have done nothing to forward the interests of the people.[105] Many of them suspected him of double dealing, and he was later accused of instigating the troops against the people, while at the same time urging the latter to resist.[106] He got into a dispute with the Kaskaskia court on the subject of arbitrary appointments.[107] A worse man to represent the civil government could scarcely have been selected.

Corruption, moreover, seems to have found its way into the Kaskaskia court. In the midst of general distress and poverty, the justices took the opportunity to demand higher pay.[108] The state's attorney accused them of laxity in allowing new settlers, of whom nothing was known, to take up land without subscribing to an oath of allegiance to the United States.[109]

The lawless example of the troops was followed by some of the new settlers from the East, who helped themselves to their neighbors' property. The Kaskaskia court tried and punished several of them.[110] Tramps and other undesirables, moreover, appeared in Illinois; Clark urged the Kaskaskia court to proceed against them to the fullest extent.[111]

[102] *Ibid.,* cvii.

[103] Mason, *Early Chic. and Ill.,* 339.

[104] English, *op. cit.,* II, 736.

[105] *Colls. Ill. St. Hist. Lib.,* II, lxxxvi.

[106] *Ibid.,* cxx-cxxi.

[107] *Ibid.,* cvi-cvii. For a view of the evil results of the activities of Winston and McCarty, see John Rogers to Jefferson, 29 Apr., 1781, *Cal. Va. St. Papers,* II, 77.

[108] *Colls. Ill. St. Hist. Lib.,* II, lxxxiv.

[109] *Ibid.,* lxxxiv-lxxxv.

[110] *Ibid.,* cvi.

[111] *Ibid.,* cix.

An emigration across the Mississippi had begun by the close of 1779. The best class was leaving the country. Cerré went before the end of the year. Gratiot, one of Cahokia's leading citizens, unable to tolerate conditions in Illinois, moved to St. Louis,[112] where he became prominent.[113] Both of these men had rendered the American cause valuable assistance, and both continued to entertain friendship for Clark personally. The people of Illinois in general did not attribute the evils that had come upon them to him. Indeed, they came to look back on his administration as a period of comparative happiness.[114] This view seems to have been shared by the Americans as well.[115] But many of the inhabitants were so disgusted with the way Virginia government was working out, that they would have welcomed even a restoration of British rule.[116]

An episode which occurred in 1780 further illustrates the growing hostility between the people of Illinois and the Virginia authorities. In July of that year a Frenchman, Augustin Mottin de la Balme by name, appeared in Vincennes and shortly after in Kaskaskia. The purpose of his presence in Illinois is not perfectly clear. He had held a commission in the Continental army, but had resigned and gone into business in Philadelphia.[117] He claimed to be in the American service,[118] and was promoting an expedition against Detroit, which, he hoped, if successful, would result in a general rising of the Canadians against the English. But the time when a joint enterprise of Americans and French, like the expedition of February 1779 against Vincennes, could have been possible, had passed. De la Balme consequently devoted himself to arousing the French, and ignored the Virginia authorities. He had nothing to say

[112] *Colls. Ill. St. Hist. Lib.*, II, 556. See also Houck, *op. cit.*, II, 47-48.

[113] Houck, *op. cit.*, II, 383.

[114] *Cal. Va. St. Papers*, II, 192-193.

[115] *Colls. Ill. St. Hist. Lib.*, II, 621.

[116] *Ibid.*, 562.

[117] *Ibid.*, xc, and authorities in note 2.

[118] English, *op. cit.*, II, 695.

to Montgomery.[119] He tried to show the people that Congress was ignorant of the way they had been oppressed by the Virginia troops, and urged them to ask the French minister at Philadelphia to force Virginia to redeem the paper money and withdraw the troops.[120] He also urged them to undertake an expedition against Detroit, "which will win the confidence of the honorable Congress."[121]

De la Balme's hostility toward the Virginia government in Illinois may be explained reasonably enough by that government's complete failure. It has been suggested, in the attempt to substantiate the theory that France was trying to reconstruct her colonial empire,[122] that he was an emissary sent by the French government to arouse the creoles for that end;[123] and it is true that in a manifesto which he intended to publish after he got to Canada, no mention was made of Congress or of the United States.[124] The British at Detroit, moreover, believed that his activities were independent of the United States.[125] Another theory to explain his presence in Illinois is that it was in furtherance of a plan of Washington and Luzerne, the French minister to the United States, to incite the Canadians to throw off British rule.[126] His hostility towards Americans, indeed, seems to have been confined to the Virginians. He never spoke disrespectfully of Congress. Neither theory has been proved.

The character of his reception by the French creoles, however, is not doubtful. They looked upon him as a Moses

[119] *Colls. Ill. St. Hist. Lib.*, II, 620.

[120] "An Address of De la Balme to the Inhabitants," *ibid.*, xci.

[121] *Ibid.*, xcii.

[122] See *infra*, ch. VII.

[123] Turner, "The Policy of France toward the Mississippi Valley in the Period of Washington and Jefferson," *Am. Hist. Rev.*, X, 255, note 2.

[124] *Colls. Ill. St. Hist. Lib.*, II, lxxxix, note 3.

[125] *Mich. P. Colls.*, XIX, 581.

[126] This explanation is offered by Mr. Alvord, *Colls. Ill. St. Hist. Lib.*, II, lxxxix.

who would lead them out of a hateful bondage; they received him as the Hebrews would have received the Messiah.[127] It may well be that De la Balme thought an expression of hostility towards Virginia would strengthen him with the inhabitants. At any rate, he allowed them to hope that the French king would again rule over Illinois,[128] and he seems to have created the impression among the Virginia officers that his mission was hostile to the American cause.[129] It was even said that he had announced that French troops would be in Illinois in the spring.[130]

Having collected between fifty and one hundred volunteers, De la Balme started for Detroit under French colors,[131] possibly because the creoles would march under no others. He attacked and captured the little British post at the head of the Wabash (Miamitown), plundered, and destroyed cattle. Indians, however, attacked his party and killed about thirty.[132] His papers, including memorials from the Illinois villages to Luzerne, were captured.[133] This unsuccessful and abortive expedition still further increased the hostility of the creoles towards the government. Their hopes of a restoration to France were, for the time at least, destroyed.

Another episode which has attracted some attention followed De la Balme's activities in Illinois. Before starting for Detroit he had instigated a party of Cahokians to undertake an expedition against the small British post of St. Joseph, in what is now the state of Michigan. They succeeded in capturing a number of traders and carrying off some property, but after leaving were overtaken by a party of Indians who captured or killed nearly all of

[127] *Cal. Va. St. Papers,* I, 380.

[128] "Memorial of the Inhabitants of Cahokia to De la Balme," *Colls. Ill. St. Hist. Lib.,* II, 551.

[129] McCarty's *Journal, ibid.,* 618.

[130] Mason, *Early Chic. and Ill.,* 337-338.

[131] *Colls. Ill. St. Hist. Lib.,* II, xcii and note.

[132] *Mich. P. Colls.,* XIX, 581.

[133] Those from Cahokia and Vincennes are in the *Canadian Archives.*

them.[134] The Cahokians, eager for revenge, then raised a party of about twenty men. Francisco Cruzat, who had succeeded Leyba as commandant of St. Louis, was at the same time organizing an expedition to attack British posts east of the Mississippi.[135] The two enterprises appear to have been united, and a mixed party of Spaniards, French creoles and Indians, under a Spaniard, Eugenio Pourèe, marched to St. Joseph in January, 1781.[136] They sacked the fort and made good their escape. Nor could a sufficient force of Indians be raised to pursue them.[137]

This insignificant raid was magnified by the Spanish officials into an important victory. A highly embellished account of it was printed in the *Madrid Gazette* of March 12, 1782, in which it was stated that Pourèe had taken possession of the post of St. Joseph, with its "dependencies," and of the Illinois river.[138] During the peace negotiations in 1782, the Spanish ambassador to France referred to this episode as a conquest which justified Spain in claiming the Northwest.[139]

In the spring of 1780, the situation in Illinois was as gloomy as can well be imagined. Besides the grave internal disorders already described, there was external danger from anticipated British and Indian attacks.[140] British officials at the lake posts, indeed, were meditating the capture of all Spanish and American settlements on the Mississippi.[141] Clark knew something of their designs, which, he feared, might result in the loss of Illinois and Kentucky. He could not maintain garrisons sufficient to defend all the Illinois villages from such an attack as the British and Indians were likely to deliver. The only way, in his opinion, to hold the country was to evacuate his present

[134] *Mich. P. Colls.,* XIX, 591-592; *Cal. Va. St. Papers,* I, 465.
[135] Houck, *op. cit.,* II, 42.
[136] *Cal. Va. St. Papers,* I, 465; Houck, *op. cit.,* II, 42-43.
[137] *Mich. P. Colls.,* XIX, 600.
[138] Houck, *op. cit.,* II, 44, note 106.
[139] See *infra,* ch. VII.
[140] *Colls. Ill. St. Hist. Lib.,* II, 531; see also *ibid.,* 547.
[141] Houck, *op. cit.,* II, 35.

posts and concentrate his forces near the mouth of the Ohio; he thought that a fort there could be reënforced by Kentucky militia, and supported by families who might be encouraged to emigrate thither by grants of land.[142]

The plan of establishing a fort at the mouth of the Ohio was not new; Governor Henry had referred to it in his instructions to Clark in January, 1778, and in a letter of the same month to Governor Galvez of New Orleans. Shortly after his arrival at Louisville, as the settlement in Kentucky at the Falls of the Ohio was beginning to be called, Clark indicated his intention of establishing such a post and encouraging settlers to go there.[143] A fort and settlement at the mouth of the Ohio would, it was hoped, strengthen Virginia's claim to the Mississippi as her western boundary, control an extensive trade, secure communication with New Orleans, and serve as a barrier against possible Spanish encroachments north of the Ohio.[144]

Todd, who retained his office though he had left Illinois, favored Clark's plan. He did not believe in maintaining the principal post at Louisville.[145] But a garrison at the mouth of the Ohio could not be maintained without a settlement to support it. He, therefore, granted four hundred acres apiece to a number of families at a price to be fixed by the assembly. Preparations were made to withdraw the troops from the Illinois villages. Those at Cahokia had already been recalled, and those at Vincennes were withdrawn early in 1780, their place in garrison being taken by militia.[146] On June 14, 1780, Governor Jefferson wrote to the speaker of the house of delegates concerning the establishment of a post near the mouth of the Ohio, referring to the assembly the measures of Clark and Todd.

[142] *Cal. Va. St. Papers,* I, 338.

[143] *Ibid.,* 331.

[144] *Ibid.,* 338, 358; Henry to the governor of New Orleans, 14 Jan., 1778, *Bancroft MSS.;* Butterfield, *op. cit.,* 80.

[145] Mason, *Early Chic. and Ill.,* 345.

[146] *Cal. Va. St. Papers,* I, 358.

Jefferson implied that the expense attending the support of the troops in Illinois, and the trouble about paper money, were the principal causes for withdrawing them south of the Ohio.[147]

The total evacuation of Illinois was prevented by the receipt of information that a strong British and Indian attack was imminent.[148] The British commandant at Michilimackinac was organizing a large Indian force to capture the Spanish and American posts on the Mississippi. It was hoped that the capture of St. Louis would secure for the English the fur trade of the Missouri river region, which centered at that village.[149] The success of this expedition would have meant the total destruction of American power in Illinois.[150] Clark, with a force of about one hundred and twenty officers and men, was busy establishing Fort Jefferson, a few miles south of the mouth of the Ohio, when news came that Cahokia was menaced.[151] The attack was made on St. Louis and Cahokia on May 26, 1780.[152] But it was not unexpected.[153] Preparations for defense had been made at St. Louis,[154] and both Montgomery and Clark were able to bring aid to Cahokia before it was attacked.[155] At St. Louis the Indians were repulsed though several of its defenders were killed or captured.[156] Clark planned a joint attack with the Spaniards on the villages of the Indians who had composed the expedition, but Montgomery, who was put in charge

[147] *Fergus Historical Series,* No. 33.
[148] *Colls. Ill. St. Hist. Lib.,* II, lxxxvii.
[149] Houck, *op. cit.,* II, 35-36.
[150] *Ibid.,* 37.
[151] *Colls. Ill. St. Hist. Lib.,* II, 531.
[152] Houck, *op. cit.,* II, 38.
[153] *Colls. St. Hist. Soc. Wis.,* XI, 154.
[154] Houck, *op. cit.,* II, 37-38.
[155] *Cal. Va. St. Papers,* III, 442-443.
[156] Houck, *op. cit.,* II, 38-40. Houck has used the report of Navarro, the Spanish intendant. A few documents from the *Canadian Archives* relating to this attack on St. Louis are printed in the *Missouri Historical Society Collections,* II, No. 6.

of the enterprise, effected nothing.[157] The southern part of the British programme was defeated by the energy of Governor Galvez, who succeeded in capturing West Florida.

Fort Jefferson did not enjoy a long or tranquil existence. In July, 1780, it was attacked by a party of Indians, who were, however, repulsed. But Indian depredations continued to be of frequent occurrence. The number of troops, too weak to defend the fort adequately, was diminished through frequent desertions. The people who had come to settle in expectation of assistance from the Virginia government found their hopes delusive, and many crossed the Mississippi into Spanish territory. Sickness and famine played havoc with those who remained. In the general decline of American credit, even necessary supplies could not be procured.[158] Clark was absent from the post during a large part of 1780, and the following year his attention and efforts were concentrated on a proposed expedition against Detroit. At the new fort affairs went from bad to worse.[159] Montgomery stopped there in May, 1781, on his way back from New Orleans to Illinois. "Want of provisions" he gave as the main reason for the evacuation of the post, which finally took place in June, 1782.[160]

When Montgomery left Illinois for a visit to New Orleans in October, 1780, the few troops remaining in the country were placed under the command of Captain Rogers.[161] The further narrative of events in Illinois is a mournful commentary on the utter failure of the Virginia régime. Rogers fell under the influence of two cunning and unscrupulous adventurers who appeared in Illinois in 1780. Thomas Bentley, a former resident of Kaskaskia, had been arrested during Rocheblave's administration, upon the latter's true

[157] *Colls. Ill. St. Hist. Lib.*, II, 541.

[158] Mason, *Early Chic. and Ill.*, 330-334; *Cal. Va. St. Papers*, I, 382, 424-425.

[159] *Ibid.*, 383.

[160] *Ibid.*, II, 313; III, 443-444.

[161] *Colls. Ill. St. Hist. Lib.*, II, xcv.

accusation that he was in correspondence with the rebels. He had been sent to Quebec, where he was confined till 1780, when he escaped.[162] Returning to Kaskaskia, he resolved to recoup himself for his sufferings and loss of property, and punish the inhabitants who, he believed, had been in league with Rocheblave against him.[163] He wrote to Clark, expressing himself as friendly to the American cause, and about the same time also to Haldimand, saying that the Illinois villages could easily be captured, since the people were discontented and would not resist British regulars, though they would always fight Indians, if they were sent, since they were in such fear of their cruelty.[164] Bentley's correspondence proves the duplicity of his character. He must have played his double game with skill, for the Americans in Illinois had no suspicion of his correspondence with the British, and Clark commended him as having "a universal good character."[165]

The other evil genius of Illinois was John Dodge, a native of Connecticut. Early in the Revolution Dodge had been engaged in trading in the Northwest. He had been captured by the British, and taken first to Detroit and then to Quebec, but escaped in 1778.[166] Dodge impressed Washington as a man of intelligence, well acquainted with the West and the Indians, who could be employed usefully in any western enterprise that Congress might have in view.[167]

The monetary situation in Illinois at once appealed to the mercenary instincts of this pair of Yankee minds, and a sort of partnership was formed by them to buy up the paper certificates held by the people.[168] It is probable that

[162] *Mich. P. Colls.*, XIX, 324 *et seq.*

[163] *Colls. Ill. St. Hist. Lib.*, II, xcvi.

[164] *Ibid.*, note 3, and *Mich. P. Colls.*, XIX, 561-562.

[165] *Cal. Va. St. Papers*, II, 153.

[166] *Colls. Ill. St. Hist. Lib.*, II, xcv, and note 4; *Official Letters to the Honorable American Congress by Washington*, II, 345-346.

[167] *Ibid.*, 346.

[168] *Colls. Ill. St. Hist. Lib.*, II, 621.

they resorted to dishonesty in their operations.[169] Their activities, at any rate, increased the hatred felt by the Illinois creoles towards the Virginia authorities, and were probably a partial cause of the zeal with which the people welcomed De la Balme. Some of the Americans also were antagonized. McCarty, who had been a vigorous supporter of the military régime and an opponent of Todd, changed his attitude. He had been arrested by order of Montgomery, before the latter left Illinois in 1780, and this fact may partially explain his new point of view. But in a letter written to Todd, McCarty implies that his change of feeling was caused by the scandalous traffic of Bentley and Dodge.[170] From this time on he sided with the inhabitants and advised them to refuse supplies for the troops,[171] as did Winston, who accused Dodge of promoting faction and discord, of bribery, and of trying to overthrow the laws of the state.[172]

Rogers, on his side, entertained a lively hatred for the representatives of the civil government, and expressed the opinion that the people had been too leniently treated. He professed to regard Winston and McCarty as instruments of turbulence and sedition, inciting the people to "an absolute state of rebellion."[173] Todd, who continued to receive complaints from Illinois, believed that the "avarice and prodigality" of the Virginia officers were chiefly responsible for the sad condition of the country. "They all," he wrote, "vent complaints against each other. . . . . I believe our French friends have the justest grounds of dissatisfaction."[174]

The withdrawal of most of the troops from the Illinois villages threw the work of defense more upon the inhabitants. In July, 1780, the Kaskaskians defended themselves

[169] *Cal. Va. St. Papers,* I, 381; *Colls. Ill. St. Hist. Lib.,* II, xcvii, 481.
[170] *Cal. Va. St. Papers,* I, 379-380.
[171] *Colls. Ill. St. Hist. Lib.,* II, xcviii.
[172] *Cal. Va. St. Papers,* I, 381.
[173] *Ibid.,* II, 77.
[174] *Ibid.,* II, 45.

successfully against an Indian attack.[175] In August the Cahokia court, in expectation of a similar attack, convoked the militia officers and principal inhabitants to deliberate on the best means to avoid a surprise.[176] They decided to move against the enemy, rather than stand an attack, and directed that provisions for a fortnight should be kept on hand. A reconnoitering party was sent up to the Illinois river to locate the enemy.[177] By the autumn of 1780, indeed, the idea was prevalent among the people that Virginia had practically abandoned Illinois.

While the inhabitants, in constant apprehension of Indian attacks, were being robbed of their all by the officers and speculators, the troops themselves were suffering. The commissaries were inefficient and probably dishonest. In 1779, the Virginia Assembly, appreciating the importance of holding Illinois, had passed resolutions that the civil and military establishments there ought to be supported and augmented, that the governor should be authorized to procure credit for that purpose in New Orleans, and that the assembly would provide funds to fulfill any engagement which he, with the consent of the council, might enter into.[178] But Virginia's treasury was empty, and the only way to increase expenditures was to increase indebtedness. The fact is that the state could not support its troops in Illinois. The possession of the country, moreover, was felt to be extremely precarious.[179] The soldiers had to live off the land and the people as best they could. "The less you depend for supplies from this quarter," wrote Jefferson to Clark in 1780, "the less will you be disappointed."[180] How badly the troops fared can be imagined. From Louisville, Vincennes and Fort Jefferson came the same story of neglect and privation.[181]

[175] *Ibid.*, I, 368; *Colls. Ill. St. Hist. Lib.*, II, lxxxviii.
[176] *Ibid.*, 59.
[177] *Ibid.*, 61, 63.
[178] Rowland, *op. cit.*, I, 345.
[179] *Writings of Thomas Jefferson*, Ford's ed., II, 345.
[180] *Colls. Ill. St. Hist. Lib.*, II, lxvii.
[181] *Cal. Va. St. Papers*, II, 306-307, 313, 338.

Then, too, Virginia's interest in her western county was declining. As early as 1777, the proposition that Congress should exercise sovereign powers over the West had been made by Maryland's delegates in Congress.[182] The western claims of Virginia and some of the other states seemed at that time likely to prove fatal to the formation of a confederation, since the smaller states, whose cause Maryland was representing, considered themselves entitled to a right, in common with all the others, to the West.[183] In order to facilitate the unanimous ratification of the Articles of Confederation, the Virginia Assembly, on January 2, 1781, resolved that the commonwealth would yield to Congress all its claims to territory northwest of the Ohio, upon certain conditions.[184] The prospect of this cession to Congress was in view by the Virginia authorities at least as early as the autumn of 1780.[185] Though it was not finally completed until 1784, Virginia's interest in the Northwest naturally declined, and the county organization of Illinois, as has been said, was allowed to expire in 1781.

In the autumn of 1780, a conflict arose between the Bentley-Dodge-Rogers clique and the Kaskaskia court. Bentley brought a suit in November, but the court refused to recognize his standing till he took an oath of fidelity to the United States and to Virginia. This he refused to do, but instead produced a certificate signed by Rogers which declared that he had taken the oath. The court refused to accept the certificate. The civil and military authorities thus collided, and Rogers addressed a bullying note to the court, threatening to set it aside. But that body, which was supported by Winston, was not intimidated. Bentley left for the East in the spring of 1781 to carry his case before the governor and council, and also to get what he could for the certificates which he and Dodge had bought up. He was

[182] Adams, "Maryland's Influence in Founding a National Commonwealth," *Md. Hist. Soc. Fund Pub.*, No. 11, 27-28.

[183] Hening, *op. cit.*, X, 549.

[184] *Ibid.*, 564.

[185] *Writ. of Jef.*, Ford's ed., II, 347.

accompanied by the latter and Rogers. In order to counteract "aspersions" against himself while in command in Illinois, Rogers wrote to Governor Jefferson, blaming Winston and McCarty for the existing disorders and commending the disinterested zeal and public spirit of Bentley.[186] It is pleasant to learn that the latter failed to win the support of the Virginia government. The council refused to regard his claims, and implied that he was an imposter.[187] This called forth a letter from Bentley in which he appealed to Clark's expressed opinion of his character, and to testimony of Dodge and Montgomery regarding his services in behalf of the troops, and complained of his treatment by the court.[188] But the greater part of his claims were still unpaid when he died, probably in 1783.[189] Rogers was back in Kaskaskia in November, 1781, but we hear no more talk of his setting aside the court.[190]

The determination of Bentley to appeal from the court to the governor caused the people of Kaskaskia and Cahokia to send representatives to the Virginia government, to counteract the mischief that might be done and to present their claims and grievances. Early in April, 1781, the Cahokians chose Pierre Prevost to represent their interests, and the Kaskaskians chose Prevost and McCarty.[191] A memorial addressed to the governor was prepared and signed by a number of the Kaskaskians, and other papers were drawn up by the court.[192] A similar memorial was signed by inhabitants of Vincennes in June.[193] But McCarty was killed by Indians and his papers were taken to Detroit. They revealed to the British authorities the fact that the people of Illinois were suffering great misery and were heartily tired of the tyranny of the Virginia

[186] *Cal. Va. St. Papers,* II, 76-77.
[187] *Ibid.,* 238.
[188] *Ibid.*
[189] *Colls. Ill. St. Hist. Lib.,* II, cix.
[190] *Ibid.*
[191] *Ibid.,* cii-ciii, 479, 481.
[192] *Ibid.,* ciii.
[193] *Cal. Va. St. Papers,* II, 192-193.

authorities.[194] Bentley, as we have seen, had made a similar statement to Haldimand the previous summer.

After 1779, British authorities in the Northwest had never been wholly free from anticipations of an American attack on Detroit.[195] Of all Americans, Clark was the man best qualified to lead an expedition against that post. His preëminent fitness for the task was generally recognized,[196] and the unbounded confidence reposed in him by the western frontiersmen was a matter of common knowledge.[197] As we have seen, he had desired to attack Detroit immediately after the successful issue of the Vincennes campaign in 1779. But the favorable opportunity was lost for want of men. Even after McIntosh's failure in 1778, Washington had the reduction of Detroit constantly in mind,[198] for only by this, in his opinion, could the frontiers secure peace.[199] Jefferson took a similar view.[200] Military men most familiar with conditions in the West were keenly alive to the importance of effecting this object.[201] It was chiefly to discuss an expedition against Detroit that Clark went east in the autumn of 1780.

Jefferson endorsed the plan and detailed instructions were prepared for Clark, who was to lead the expedition.[202] Washington heartily coöperated with the proposed enterprise and directed Colonel Brodhead, the Continental commandant at Fort Pitt, to furnish Clark with supplies and as many men as he could spare.[203] But the British invasion of Virginia in 1781 prevented the governor from furnishing the intended number of men,[204] and Brodhead declined to

[194] *Mich. P. Colls.,* XIX, 646.
[195] Butterfield, *op. cit.,* 481; *Mich. P. Colls.,* XX, 3.
[196] Rowland, *op. cit.,* I, 366.
[197] Butterfield, *Washington-Irvine Corresp.,* 53; *Writ. of Jef.,* Ford's ed., II, 347.
[198] Butterfield, *Washington-Irvine Corresp.,* 53.
[199] *Ibid.,* 83.
[200] *Writ. of Jef.,* Ford's ed., II, 346.
[201] Butterfield, *Washington-Irvine Corresp.,* 79.
[202] *Cal. Va. St. Papers,* I, 441.
[203] English, *op. cit.,* II, 704-707.
[204] *Cal. Va. St. Papers,* II, 108-109.

spare any.[205] The war had lasted so long that some of the earlier enthusiasm had worn off and a disinclination to enlist was apparent. This and the decline of Virginia's credit made it impossible to raise the number necessary to insure success.[206]

By August Clark himself, who had started down the Ohio from Fort Pitt with what men he could collect, had almost despaired of success.[207] Intending to join him, a party of about one hundred militia, recruited from the western counties of Pennsylvania, followed down the Ohio. Their commander was Captain Archibald Laughery, county-lieutenant of Westmoreland County. They arrived at Wheeling on August 8. The chief Joseph Brant, with a party of Indians, was watching for Clark near the mouth of the Miami,[208] but Clark passed them in the night undetected. Laughery's party, however, was annihilated by Brant and his followers.[207] This disaster gave the *coup de grâce* to the expedition against Detroit. Again Clark was baffled, and again for the same reason, lack of men.

This proposed expedition, while not immediately connected with the internal history of Illinois, explains to some extent the fact that the British commandants at the lake posts were forced to act on the defensive, and dared not weaken their garrisons by sending troops to conquer Illinois.[210] For offensive operations they relied upon the Indians, who were held to their alliance only by presents, which, it was said, made them inactive and lazy,[211] and Indian attacks, on account of the cruelty that always accompanied them, the people of Illinois were sure to resist to the extent of their power.[212] Information similar to that revealed by

[205] *Ibid.*, 116.

[206] *Ibid.*, 116, 131, 294-295, English, *op. cit.*, II, 710-712.

[207] *Cal. Va. St. Papers*, II, 294-295.

[208] *Mich. P. Colls.*, XIX, 655.

[209] For this massacre see *Indiana Historical Society Publications*, II, 106-107, 109-110; also Butterfield, *Washington-Irvine Corresp.*, 77; *Mich. P. Colls.*, XIX, 658.

[210] *Mich. P. Colls.*, XIX, 623, 629.

[211] *Ibid.*, 622-623.

[212] *Colls. Ill. St. Hist. Lib.*, II, 561.

the capture of McCarty's papers had, for some time, been coming to the ears of the British commandants in the Northwest. It naturally aroused the hope that British authority might be reëstablished over the Illinois villages by peaceful means.

Early in the summer of 1781, Patrick Sinclair, who had been in command at Michilimackinac since October, 1779,[213] dispatched a small party under a man named Clairmont, with a letter to the inhabitants of Cahokia and Kaskaskia.[214] The object of this mission was to promote friendship between the inhabitants and the British.[215] But Clairmont made the mistake of stopping at St. Louis. Since Spain was now openly at war with Great Britain, the Spanish commandant, Cruzat, caused Clairmont and his party to be arrested, and sent a copy of their letter to Major Williams, then in command of the few troops remaining at Kaskaskia. It is unlikely, however, that Cruzat was as well disposed towards the Americans as this action makes it appear. He certainly allowed two of the emissaries to proceed to Cahokia, where they were obliged by the court to find bondsmen answerable for them while they remained.[216]

That this mission might have succeeded in reëstablishing British control in Illinois is possible. Considerable dissatisfaction, at any rate, was expressed in Cahokia and Kaskaskia at the action of the Spanish commandant in arresting the emissaries.[217] Antoine Gerardin, one of the most influential men in Cahokia and a former member of the court, who undoubtedly knew the state of public opinion, wrote to Sinclair in November, 1781, that he thought the people, partly for commercial reasons, were ready to receive

[213] *Colls. St. Hist. Soc. Wis.*, XI, 141, note.

[214] *Colls. Ill. St. Hist. Lib.*, II, 553, 557. Also Houck, *op. cit.*, II, 49.

[215] The three sources for this episode in *Colls. Ill. St. Hist. Lib.*, II, 552-563, differ as to the exact purpose of the mission. One says it was to put the people on their guard against the Spaniards; another, to raise militia to be paid by the British, and the third, to negotiate a commercial treaty.

[216] *Colls. Ill. St. Hist. Lib.*, II, 95.

[217] *Ibid.*, 555.

the English and renew their allegiance to England. He offered his services, and agreed to prepare them to receive the English, provided they brought no savages with them.[218] Had a British party of respectable strength, unaccompanied by Indians, been promptly sent, it is difficult to believe that it would not have succeeded, since Illinois by this time had been almost completely evacuated by the Virginia troops.[219]

But the military operations in Virginia in the autumn of 1781 decided the war and no such party was sent. Virginia's nominal possession of Illinois survived the Revolution, though legally the county organization of that territory, as explained above, expired in 1781. The Kaskaskia court was abolished in 1782.[220] The Cahokia court continued to sit till 1790, and conditions in that town were less anarchical than at Kaskaskia, possibly because there were fewer Americans in it. The Vincennes court continued in existence till 1787.[221]

The financial condition of Virginia made prudent what the termination of the war made possible, and the Illinois troops were disbanded.[222] In July, 1783, Clark was relieved of his command.[223] From the close of the Revolution till the establishment of government under the Northwest Ordinance the people of Illinois were cut off from association with the outside world, though they continued to regard themselves as subjects of Virginia.[224] But though relieved of the burden of the troops, confusion continued, and there was no tranquility or happiness for them. Hoping for better things, they learned in 1784 of their transference to the jurisdiction of Congress.[225]

[218] *Ibid.*, 559-563.
[219] *Cal. Va. St. Papers,* III, 68, 198.
[220] *Colls. Ill. St. Hist. Lib.,* II, cxvii.
[221] *Am. St. Papers,* "Public Lands," I, 10.
[222] *Colls. Ill. St. Hist. Lib.,* II, cx.
[223] English, *op. cit.,* II, 783.
[224] *Address to Congress from the French Inhabitants of Post Vincennes, Kaskaskia,* etc., 1788.
[225] *Colls. Ill. St. Hist. Lib.,* II, 567.

CHAPTER VII.

THE PEACE NEGOTIATIONS AND THE WEST.

The actual establishment of American rule in Illinois was the work of the revolutionary government of Virginia. A legal title to the territory was secured by the treaty of peace. The scene shifts to the French capital, and the final step in the transition was made in the negotiations which concluded the Revolution.

The surrender of Cornwallis in October, 1781, settled the question of American independence. In British official circles the feeling was strong that peace *must* be secured.[1] Before Lord North's ministry fell, speculation was rife as to the extent of the surrenders which the government would have to make. Independence, it was hoped, would satisfy the United States.[2] France expected territorial and commercial gains. The policy of Spain will be discussed later. On March 20, 1782, Lord North, virtually forced out of office, handed in his resignation, and the king was reluctantly obliged to resort to the Rockingham Whigs. Under the Marquis of Rockingham, a ministry was formed whose avowed policy was to end the war. In his cabinet, the home and colonial departments were intrusted to Lord Shelburne, while Mr. Charles James Fox took the foreign portfolio.

As early as September, 1779, Congress had appointed John Adams sole commissioner to discuss terms of peace with the British government. He was instructed to claim the Mississippi as the western boundary of the United States, and the cession of Canada was stated as desirable. He was to be governed by the terms of the French alliance.[3]

[1] Grafton to Shelburne, 14 Nov., 1781, *Bancroft MSS.* Transcripts from the *State Paper Office* and *Lansdowne House MSS.*, concerning Negotiations for Peace, 1781-1783, 6 vols. These documents will be referred to as *Bancroft MSS.*, Peace Negotiations.

[2] *Ibid.*

[3] Sparks, *op. cit.*, IV, 339 *et seq.*

But his relations with the French foreign minister, Vergennes, then regarded as the European sponsor of the United States, were not cordial,[4] and in June, 1781, Congress, influenced by Luzerne, annulled Adams' commission and issued another to him and four others. The additional commissioners named were Franklin, Jay, Laurens and Jefferson.[5]

Just as the Rockingham ministry was coming into power, Franklin, the only one of the American commissioners then in France, wrote to Shelburne, with whom years before he had had pleasant relations, expressing an earnest hope for a general pacification.[6] In response the colonial secretary sent Mr. Oswald, a Scotch merchant in whom he reposed great confidence and who had extensive interests in America, to interview Franklin in an informal manner.[7] Shelburne attached great importance to this preliminary negotiation and said that, if it failed, the war would be vigorously carried on, since the nation at large was not reconciled to American independence.[8] It was his policy to reserve the concession of this as a valuable consideration to be offered to the colonies, and to foment difficulties and disagreements between America, France and Spain wherever their interests conflicted.[9] He was determined at all events that the United States, if independent, should be so of all the world, and should not become the protégé and permanent ally of France.[10] He hoped, indeed, to detach the United States from the other enemies of England.

[4] Durand, *New Materials for the History of the American Revolution, 232-233.*

[5] Sparks, *op. cit.,* III, 220.

[6] *Ibid.,* 381.

[7] Oswald had previously been consulted by Lord North on American affairs. For events leading to the decision of the Rockingham cabinet to open informal negotiations with Franklin see Fitzmaurice, *Life of William, Earl of Shelburne,* III, 175.

[8] Paper marked "Private, to be burnt," Shelburne to Oswald, no date, probably April, 1782. *Bancroft MSS.,* Peace Negotiations.

[9] Fitzmaurice, *op. cit.,* III, 169.

[10] Memorandum to Mr. Oswald in conversation, 28 Apr., 1782. *Bancroft MSS.,* Peace Negotiations. *Cf.* also Sparks, *op. cit.,* X, 12.

Franklin, however, feeling that a separate treaty between his country and Great Britain would be dishonorable, as well as contrary to the terms of the French-American alliance and Congress' instructions of 1781, at once informed Oswald that the United States would treat only in concert with France,[11] and that no definite action could be taken until his fellow-commissioners arrived.[12]

In order to secure the West as far as the Mississippi, Congress considered it necessary to show either that the states as individual sovereignties had succeeded to all rights which they had possessed when colonies, or that, when the king of Great Britain ceased to be king of the thirteen colonies, all vacant lands of which he was seised in that capacity passed to the United States collectively.[13] In other words, Congress desired to secure the West on one principle or the other, and was apparently unwilling to commit itself to either. According to the second principle, the United States could claim the West, even if the proclamation of 1763 were held to confine the individual colonies to lands east of the Alleghanies.[14] American statesmen, however, understood that abstract claims would be greatly strengthened by actual conquest and occupation. Jefferson had expressed the view that Clark's expedition would have an important bearing on the final establishment of the northwestern boundary of the United States.[15] George Mason, who had also been concerned in Clark's enterprise, was of the same opinion.[16] They evidently considered it of great importance that, when the treaty of peace was finally made, the American commissioners should be able to argue the principle of "uti possidetis" with respect to the West.

[11] Sparks, *op. cit.*, III, 381.

[12] Moore, *Digest of International Law*, V, 634.

[13] *Sec. Journ. of Cong.*, III, 170, 198.

[14] For this national theory respecting the West, see Thomas Paine, "Public Good," *Writ. of Paine,* Conway's ed., II. *Cf.* also Pelatiah Webster's essay on Western Lands, in *Political Essays on the Nature and Operation of Money, Public Finances, and other Subjects:* Philadelphia, 1791.

[15] Bancroft, *History of the United States:* Boston, 1878, VI, 192.

[16] Rowland, *op. cit.*, I, 365.

In January, 1782, an important letter dealing with the question of the West in the coming peace negotiations was written to Franklin by the American foreign secretary, Robert R. Livingston.[17] ". . . . Our western and northwestern extent," wrote Livingston, "will probably be contested with some warmth, and the reasoning on that subject be deduced from general principles, and from proclamations and treaties with the Indians. . . . . I believe it will appear that our extension to the Mississippi is founded in justice, and that our claims are at least such as the events of the war give us a right to insist upon." The proclamation of 1763, he argued, was a temporary measure which did not nullify the claims of any colony to western land. He even argued from the wording of the document itself that such was the case; otherwise it would not have been necessary to forbid colonial governors to make grants in the West, since they would have had no power to do so. The treaty of Fort Stanwix, in his opinion, constituted no obstacle to colonial claims. Arguments against American extension, he admitted, might be derived from the Quebec Bill, but as that was one of the laws that had occasioned the war, "to build anything upon it would be to urge one wrong in support of another." He referred to a map which had been made by the king's geographer, shortly after the Seven Years' War, on which Virginia and the Carolinas were represented as extending to the Mississippi. "The rights of the King of Great Britain . . . . to America," he said, "were incident to his right of sovereignty over those of his subjects that settled America and explored the lands he claims. . . . . If we admit . . . . that the right of sovereignty over the people of America is forfeited, it must follow that all rights founded on that sovereignty are forfeited with it. . . . . Upon this principle Great Britain is left without a foot of land in America beyond the limits of those governments which acknowledge her jurisdiction." To strengthen theoretical arguments, Livingston adduced the fact that actual settlements had been made in the West

[17] Sparks, *op. cit.*, III, 268, *et seq.*

by people who acknowledged the jurisdiction of the United States. In his opinion it would be impolitic as well as unjust to abandon them. In expectation, however, that there would be much dispute over the boundary, he unofficially suggested that, if the Mississippi could not be obtained, the territory between that river and the western limits assigned to the states should be left to the Indians under a joint guaranty of France, Spain, Great Britain and the United States. An analysis of this document shows that the American government was disposed to urge charter claims as ground for claiming the West and the Mississippi boundary, that the argument of actual settlement, and "the events of the war," were to be advanced to strengthen these claims, but that Congress would probably not insist upon the Mississippi.

In the instructions given in 1780 by Congress to John Jay, when he was sent as American agent to Spain, the fact of actual settlement as ground for claiming the West was more emphatically stated. ". . . . The people inhabiting these states," ran the instructions, "while connected with Great Britain, and also since the Revolution, have settled themselves at divers places to the westward near the Mississippi; are friendly to the Revolution, and being citizens of the United States, and subject to the laws of those to which they respectively belong, Congress cannot assign them over as subjects to any other power."[18]

During Oswald's first visit to Paris in April, 1782, Franklin had shown a disposition to talk matters over, and with the utmost sang-froid had suggested the cession of Canada to the United States as a measure likely to promote a true reconciliation.[19] If Canada were retained by Great Britain, he thought it would involve perpetual friction between that power and the United States. If ceded, the waste lands there could be sold to indemnify the royalists for confiscations, and to pay for some of the damage to American private property caused by the British and the Indians.[20]

[18] Sparks, *op. cit.*, VII, 301-302; *Sec. Journ. of Cong.*, III, 155.
[19] Fitzmaurice, *op. cit.*, III, 180-182.
[20] Moore, *op. cit.*, V, 634-635.

Oswald went back to England, and after a brief sojourn returned with a paper refusing the cession of Canada.[21] He expressed his personal opinion, however, that a satisfactory settlement on that point might be reached.[22] Indeed, somewhat later, he went so far as to tell Franklin that he personally agreed with him concerning Canada.[23] Franklin, therefore, continued to hope for the acquisition of that province.

On April 23, an important meeting of the Rockingham cabinet was held, a minute of which reads: ". . . . the principal points in contemplation are the allowance of independence to America upon Great Britain's being restored to the situation she was placed in by the treaty of 1763."[24] This meant that Canada was to be retained, and also, presumably, the country between the Alleghanies and the Mississippi, which had been relinquished by France in the treaty referred to. Independence, moreover, was not to be assumed as existing till granted by the proposed treaty.

Fox, in whose department negotiations with foreign powers lay, sent Thomas Grenville, a son of the former premier, to Paris early in May. As is well known, he advanced the theory previously maintained by American statesmen[25] that the United States was already independent.[26] Therefore, he argued, the conduct of negotiations with the American commissioners belonged to his department, since the United States was a foreign power.[27] Acting on this theory, he instructed Grenville to "sound" Franklin, and to inform him and Vergennes that independ-

[21] Fitzmaurice, *op. cit.*, III, 188-189.

[22] *Ibid.*, 191.

[23] *Ibid.*, 206.

[24] *Ibid.*, 183-184.

[25] Sparks, *op. cit.*, III, 42-43; VI, 129.

[26] This theory may be considered finally to have prevailed, for the treaty of peace was a recognition, not a grant of independence; see Moore, *op. cit.*, V, 695.

[27] In this contention Fox was technically wrong; till the independence of the United States was recognized, negotiations with the American commissioners belonged to Shelburne's department, *ibid.*, 624.

ence was to be the basis for negotiations. Grenville was to find out whether, if a general pacification proved impossible, there was any prospect of a separate peace between England and the United States.[28] Fox thought it would be easy to show the Americans that it was unreasonable that they should be incumbered and obstructed by "powers who have never assisted them during the war."[29] The foreign secretary could not believe, he said, that Congress was bound to support every claim set up by the court of Versailles and its allies.[30] Grenville reported that Franklin earnestly desired peace, though he was determined to adhere to the treaty obligations into which the United States had entered; and that Vergennes would neither make overtures nor answer propositions till after communication with the allies of France. It was evident, however, that France would demand for her exertions in the war more than the independence of the United States. The acknowledgement of that would not be regarded by the French government as a favor conceded by Great Britain to France, for, Vergennes significantly observed, France had found and not made America independent.[31] He desired a treaty more just and durable than that of 1763, which he never could read without shuddering ("sans frémir"). "Justice" and "dignity," he said, were the two chief points upon which his government would insist in the proposed treaty.[32] Grenville, accordingly, became convinced that the demands of France, and of Spain also, would be so extensive that it would be difficult, if not impossible, for Great Britain to accede to them. "It is from

[28] Fox to Grenville, 30 Apr., 1782, *Bancroft MSS.*, Peace Negotiations.

[29] Fox to Grenville, 21 May, 1782; *ibid.*

[30] Fox to Grenville, 26 May, 1782, *ibid.* Fox, as a European statesman, wanted to end the American war quickly and isolate the Bourbon powers; see Wakeman, *Charles James Fox*, 70-71.

[31] Grenville to Fox, 10 May, 1782, *Bancroft MSS.*, Peace Negotiations; Fitzmaurice, *op. cit.*, III, 192.

[32] Grenville to Fox, 10 May, 1782, *Bancroft MSS.*, Peace Negotiations.

the expectation the courts of Madrid and Versailles entertain of being supported by America in these claims," he wrote, "that they will derive the greatest confidence in making them." The obvious remedy for Great Britain to apply was, if possible, to detach the United States from France.[33]

The British foreign secretary, anxious for a speedy escape from the American war, authorized Grenville to offer independence "in the first instance, instead of making it a conditional article of a general treaty."[34] On June 10, he sent full powers to Grenville to treat with any of the enemies of Great Britain,[35] and on the thirtieth he moved in cabinet "that the independence of America should be granted even without a treaty for a peace."[36] He thus hoped, no doubt, to get the negotiations with the Americans completely out of the colonial secretary's hands. The cabinet, however, decided against him and he resigned.

On July 1 Rockingham died, and the next day the king offered the treasury to Shelburne, who accepted and formed a new ministry.[37] The home and colonial departments were given to Thomas Townshend; Lord Grantham took the foreign office. Shelburne informed Grenville that neither the resignation of Fox nor the death of Rockingham would make any difference in the government's policy,[38] but Grenville determined to retire with his chief, and "decline any further prosecution of this business."[39] Benjamin Vaughan was then sent to Paris to inform Franklin that the change of administration would make no change in the progress of the negotiations, and Alleyn Fitzherbert, British minister at Brussels, was appointed to succeed Grenville in representing the British foreign secretary. Oswald remained the ministry's representative as far as America was concerned.[40]

[33] Grenville to Fox, 14 May, 1782; *ibid.*

[34] Fox to Grenville, 26 May, 1782; *ibid.*

[35] Fox to Grenville, 10 June, 1782; *ibid.*

[36] Fitzmaurice, *op. cit.*, III, 219.

[37] *Ibid.*, 222-223.

[38] Shelburne to Grenville, 5 July, 1782, *Bancroft MSS.*, Peace Negotiations.

[39] Grenville to Shelburne, 9 July, 1782; *ibid.*

[40] Moore, *op. cit.*, V, 637.

Meanwhile Franklin had been joined by John Jay, who reached Paris on June 23. Jay had been for several months in Madrid as diplomatic agent of the United States, trying to induce the Spanish government to recognize American independence.[41] His residence there, however, was informal, and did not bind Spain to recognize the United States as an independent power.[42]

The policy of Spain is a subject of importance in the peace negotiations so far as they relate to the West. As we have seen, that power had been secretly aiding the Americans from the beginning of the Revolution. The motives of the Spanish, like those of the French government, were, of course, wholly unconnected with sentiments of genuine friendship for the United States. Both powers were actuated by a spirit of revenge toward England. The Count of Floridablanca, the Spanish Minister of state, in particular, was suspicious of the Americans and entertained no belief in the integrity of Congress or its commissioners.[43] He feared, indeed, the success and independence of the United States.[44] Before the alliance of 1778 Vergennes had pointed out that the Americans, if independent, might turn conquerors and endanger Spanish America.[45] Lafayette, to whose efforts the final recognition by Spain of the independence of the United States was partly due, wrote from Madrid in March, 1783, that in his opinion Spain feared the moral effect of that independence upon her own colonies.[46]

In April, 1779, Spain concluded a secret convention with France, by which the Bourbon Family Compact was renewed, and she bound herself to declare war on Eng-

[41] *Corresp. and Pub. Papers of John Jay,* Johnston's ed., II, 21.

[42] Moore, *op. cit.,* I, 206-207.

[43] Floridablanca to Marquis D'Ossun, 17 Oct., 1777, Stevens, *op. cit.,* XIX.

[44] Bancroft, *History of U. S.,* VI, 176.

[45] Considerations, 12 March, 1776, by Vergennes, Stevens, *op. cit.,* XIII, No. 1316.

[46] Sparks, *op. cit.,* X, 34.

land.[47] She did not, however, recognize the independence of the United States. Among the avowed objects which she expected to attain through her participation in the war were the recovery of Gibraltar, Minorca and East Florida, and the acquisition of Mobile. She desired to make the Gulf of Mexico a Spanish lake, and to control the navigation of the Mississippi by possession of both banks at its mouth. Floridablanca, indeed, expressly declared that unless Spain could exclude all other nations from the Gulf, she might as well admit all. In his opinion, the exclusive navigation of the Mississippi was an essential feature of Spanish policy, more important even than the restoration of Gibraltar.[48] Spanish hopes of controlling the Mississippi were naturally raised by the work of Galvez in Florida, for, before the end of the war, Spain actually held both banks of the river at its mouth.

That at the time of this secret treaty the Spanish government desired to secure the possession of any territory in North America beside the provinces of East and West Florida cannot be categorically asserted. While Spain was still nominally at peace with England, an agent, Juan de Miralles by name, was sent to the United States to have an eye to Spanish interests. In the instructions which were given to him nothing was said about the conquest of territory. In July, 1778, however, Gerard, the first French minister to the United States, wrote to Vergennes about Miralles and his mission. Gerard had not, indeed, seen his instructions, but the Spaniard's conduct and language seemed to him to indicate their nature. Among other objects of his mission he was trying to show, Gerard thought, that France should conquer Canada, and that Spain should acquire all territory

[47] Text of the convention in Doniol, *Histoire de la Participation de la France à l'établissement des États-Unis d'Amérique,* III, 803 *et seq.;* or Wharton, *op. cit.,* I, 356 *et seq.* For a brief discussion of Spain's part in the war see Rousseau, "La Participation de l'Espagne à la guerre d'Amérique," in *Revue des Questions Historiques* for 1902, 444 *et seq.*

[48] Rives, "Spain and the United States in 1795," *Am. Hist. Rev.,* IV, 64-65.

received by England in 1763 in Florida and on the Mississippi.[49] Though he was mistaken concerning Miralles' instructions, his suppositions were not unnatural in view of the intimations made by the Spaniard on his own responsibility. At all events, after the conquest of the Illinois villages by Clark, there is no doubt that Miralles actually proposed the cession of Illinois to Spain, and, again without authorization, urged the abandonment of American claims to the Northwest.[50] As a result of the capture by Galvez of the English settlements on the lower Mississippi, the Spanish government itself began to view the situation in a different light. In 1780 Gerard's successor, Luzerne, informed Congress that the king of France, desiring an alliance between his two allies, Spain and the United States, had directed him to communicate to Congress conditions which the king of Spain regarded as important. Among these were, besides the possession of East and West Florida, a precise and invariable western boundary of the United States, the exclusive navigation of the Mississippi, and the possession of the lands on the east bank of that river above West Florida. In the opinion of the Spanish government, wrote Luzerne, the United States should extend no farther west than the proclamation line of 1763, and were entitled to no lands on the Mississippi. The territory on the east bank of that river was a possession of England, and a proper object of Spanish conquest.[51] From Luzerne's communication to Congress we cannot avoid the conclusion that, whatever her previous policy may have been, Spain now desired to acquire the whole east bank of the Mississippi. As late as February, 1783, after the provisional treaty between England and the United States had given the east bank of that river to the latter, Lafayette wrote from Madrid to Livingston that the Spaniards would "insist upon a pre-

[49] Gerard to Vergennes, 25 July, 1778, Doniol, *op. cit.*, III, 293.

[50] For my information regarding Miralles' instructions and correspondence, I am indebted to Professor William R. Shepherd of Columbia University.

[51] Sparks, *op. cit.*, X, 402-403.

tended right to an extent of country all along the left shore of the Mississippi. Not that they mean to occupy it, but because they are afraid of neighbors that have a spirit of liberty."[52] But suspicions of Spanish designs on the West were not confined to officials connected with the French court. Clark, in establishing Fort Jefferson, thought that post would be useful in frustrating any plans which Spain might have formed for seizing the country north of the Ohio. Indeed, he believed that the Spaniards would have been glad to see the American posts in Illinois conquered by England, so that they might have the opportunity of reconquering them. Todd had not been in Illinois long before he, too, concluded that Spain had aggressive designs on the country.[53] The opinions of Clark and Todd were, of course, formed from their observations of the conduct of the Spaniards around St. Louis.

Jay's mission to Spain was a failure. Floridablanca could not be induced to recognize the independence of the United States. In his attempts to come to an understanding with the Spanish minister, Jay was subjected to delay and mortification. He even complained that his mails were tampered with and sometimes destroyed.[54] Upon his arrival at Madrid, Floridablanca, according to Jay, implied that the Mississippi was to be regarded as the western boundary of the United States.[55] If the Spanish minister meant to convey this impression, he was misleading Jay, for he certainly was unwilling that the United States should possess the left bank of the Mississippi. The slights which Jay received while in Spain convinced him that the colonial policy of that country was directly opposed to the interests of the United States.

Franklin, also, was suspicious of Spanish policy in the West. Before Jay's arrival in France, he wrote to the

[52] *Ibid.*, 26.

[53] *Cal. Va. St. Papers,* I, 338, 358.

[54] *Corresp. and Pub. Papers of John Jay,* Johnston's ed., II, 20, 165, 186, 242.

[55] Sparks, *op. cit.,* VIII, 203.

American foreign secretary, expressing fear that Spain was trying to acquire the trans-Alleghany country at the expense of the United States, and that she was using every pretext to accomplish that end.[56] "I see by the newspapers," he wrote, "that the Spaniards having taken a little post called St. Joseph[57] pretend to have made a conquest of the Illinois country. In what light does this proceeding appear to Congress? While they decline our proffered friendship, are they to be suffered to encroach on our bounds and shut us up within the Appalachian Mountains? I begin to fear they have some such project." Jay, also, read a version of the St. Joseph affair, published in a Spanish newspaper.[58] He came to Paris full of suspicions of Spanish policy, and resolved that his country should not be at the mercy of the European powers.

The situation confronting the two commissioners was indeed serious. The treaty of 1778 bound the United States to make no peace independent of France, and Congress had supinely instructed its commissioners not to conclude any arrangements with the English without the approval of the French government.[59] "You are," ran the instructions, "to make the most candid and confidential communications upon all subjects to the ministers of our generous ally, the King of France, to undertake nothing in the negotiations for peace or truce without their knowledge and concurrence." These instructions were, no doubt, highly proper and honorable so long as France was acting in the interests of the United States. Congress, indeed, expected that the French government would assist the United States in securing the Mississippi boundary.[60] But the French-Spanish treaty of 1779, made without the knowledge of the United States, introduced another factor into the war. By this

[56] Sparks, *op. cit.*, III, 339.

[57] For the episode see *supra*, ch. VI.

[58] Morton, "Robert R. Livingston,—Beginnings of American Diplomacy," *John P. Branch Historical Papers of Randolph-Macon College*, No. IV, 321.

[59] For the instructions see *Sec. Journ. of Cong.*, II, 446.

[60] Sparks, *op. cit.*, X, 87-88.

treaty France bound herself not to make peace till Spain had accomplished her objects. The United States were surely not bound in honor to further the plans of a government which persistently refused to recognize their independence, especially when those plans, as the American commissioners were convinced, were opposed to their own interests. To argue that Spain for her own purposes could compel the United States to continue hostilities indefinitely would be a manifest absurdity. By experience and inclination, no man was better qualified than Jay for the task of defeating Spanish designs.

The first question on which his influence was decisive was whether Great Britain should treat with the United States as colonies, and acknowledge their independence in the treaty, or whether she should conduct negotiations with the United States as independent and sovereign. Shelburne, as already stated, was anxious to end the American war quickly. Parliament rose on July 11, and he desired to be able to announce peace with America when next it met.[61] Late in July a commission was sent to Oswald to treat with commissioners of "the colonies," authorizing him to concede independence.[62] Jay promptly expressed his dissatisfaction. Independence, he thought, should be no part of the treaty, but should have been expressly granted by Parliament, and all troops withdrawn prior to any proposal for peace. Since this had not been done, he thought the crown should do it by proclamation.[63] Franklin, however, did not see much difference between independence granted before the treaty, or by it.[64] He held that Oswald's acceptance of the American commission, which described the commission-

[61] Moore, *op. cit.*, V, 686.

[62] Fitzmaurice, *op. cit.*, III, 249-251. For the commission see Sparks, *op. cit.*, X, 76-79.

[63] Minutes of conversation with the American commissioners, 7 Aug., 1782, *Bancroft MSS.*, Peace Negotiations, and Fitzmaurice, *op. cit.*, III, 251.

[64] Minutes of conversation, by Oswald, 11-13 Aug., 1782, *Bancroft MSS.*, Peace Negotiations; *Corresp. and Pub. Papers of John Jay*, Johnston's ed., II, 372.

ers as ministers of the United States, was equivalent to an acknowledgment of independence.[65] Jay's position here corresponded to that of John Adams, who had said a year before, "There are no American colonies at war with Great Britain. The power at war is the United States of America."[66] Vergennes, however, advised the American commissioners to treat with Oswald under the commission which he had received, but Jay positively refused.[67] His firmness caused Oswald to write to Shelburne ". . . . Your Lordship will see that the American commissioners will not move a step until the independence is acknowledged."[68]

A decided difference of opinion was becoming manifest between the two American commissioners. Jay was a young man, a lawyer, and disposed to be somewhat assertive and dogmatic. The purity of his patriotism could never be questioned. Franklin, equally patriotic and equally disposed to peace, was an old man, versed in diplomacy and the ways of the world, benevolent and wise. He was on excellent terms with both Shelburne and Vergennes, and inclined to suspect neither.

On July 6, Franklin had handed Oswald a paper containing conditions of peace, some of which he regarded as necessary, others advisable. Among the former were the acknowledgment of entire independence, the extension of the United States to the Mississippi, and a curtailment of Canada to the extent it had possessed before the Quebec Act; i. e., so as not to include the Northwest. Among the latter he mentioned the cession of Canada.[69] Oswald

[65] Hale, *Franklin in France,* II, 125.

[66] Sparks, *op. cit.,* VI, 129.

[67] *Ibid.,* VIII, 128, 135.

[68] Oswald to Shelburne, 18 Aug., 1782, *Bancroft MSS.,* Peace Negotiations. Dr. Wharton thought that Jay's attitude towards Oswald's first commission, while patriotic, tended to undermine the goodwill between England and the United States which Shelburne and Franklin were seeking to promote, and that, had Franklin been left to conduct matters in his own way, the United States would probably have acquired Canada; Moore, *op. cit.,* V, 638, 649.

[69] *Ibid.,* 637.

at once communicated these conditions to Shelburne.[70] In August, numerous conferences were held between Oswald, Jay and Franklin. The Americans sent to London for a set of maps in order to discuss the boundary question more intelligently.[71] Oswald concluded that to secure a lasting peace, the abandonment by Great Britain of the Northwest, which had been added to Canada in 1774, would be necessary. A refusal on this point, he thought, "would occasion a particular grudge," as the American commissioners would maintain that the ungranted and unappropriated lands in the West belonged to the states. He supposed this demand would be granted "upon certain conditions."[72] On September 1, Townshend authorized Oswald to concede Franklin's "necessary" articles, implying the abandonment by Great Britain of the West, and the curtailment of Canada to its extent before 1774.[73]

Viewing the peace negotiations as the last step in the transition of which this study treats, the great problem confronting the American commissioners was to defeat what they regarded as the hostile designs of Spain, supported as they were by France. Shortly after his arrival in Paris, Jay had a long interview with the Spanish ambassador to France, the Count of Aranda. The Spaniard, in discussing the status of the West, gave it as his opinion that this territory had belonged to France till 1763, when it became a distinct part of Great Britain's dominions, outside of any existing colony, "until by the conquest of West Florida, and certain posts on the Mississippi and Illinois, it became vested in Spain." He went on to argue that even if Spain's right of conquest did not extend over all the West,

[70] Oswald to Shelburne, 10 July, 1782, *Bancroft MSS.*, Peace Negotiations.

[71] Minutes regarding the treaty, 29 Aug., 1782, *Bancroft MSS.*, Peace Negotiations.

[72] Minutes of conversation 11-13 Aug., 1782, by Oswald, *Bancroft MSS.*, Peace Negotiations, and Minutes regarding the treaty, 29 Aug., 1782, *ibid.*

[73] Townshend to Oswald, 1 Sept., 1782, *Bancroft MSS.*, Peace Negotiations.

its real possessors would be the Indian tribes who dwelt there.[74] Aranda sent Jay a map on which he had indicated what he considered an appropriate western boundary for the United States. His line extended from the western confines of Georgia to the mouth of the Kanawha, thence around the western shores of Lake Erie, Huron and Michigan to Lake Superior. Jay and Franklin both considered this inadmissible.[75] Oswald believed that Spain wanted the country from West Florida "of a certain width quite up to Canada, so as to have both banks of the Mississippi clear, and would wish to have such a cession from England before a cession to the colonies takes place."[76]

Jay was now fully convinced that Spain and the United States could never agree on the boundary question, for Spain, he believed, would not consent to the possession of the east bank of the Mississippi by the United States. He came, moreover, to the further conclusion that France was in league with Spain to deprive his country of the Mississippi. The views of the French government were expressed in a memoir written by M. de Rayneval, Vergennes' principal secretary, and handed by him to Jay. Rayneval denied that the country between the Alleghanies and the Mississippi formed part of the United States, and said that the proclamation of 1763 proved that it was a distinct part of Great Britain's possessions, beyond the limits of the colonies. He suggested a partition of the West between Spain, England, the Indians and the United States. By this arrangement the United States would not, at least south of the Ohio, extend to the Mississippi, and would be deprived of the navigation of that river in its lower course. The east bank, as far north as the mouth of the Ohio, was to be given to Spain. The southwestern Indians, whose lands were to intervene between the possessions of Spain and those of the United States, were to be

[74] Sparks, *op. cit.*, VIII, 150; *Corresp. and Pub. Papers of John Jay*, Johnston's ed., II, 390.

[75] *Ibid.*

[76] Fitzmaurice, *op. cit.*, III, 258.

divided into two zones or belts, the western under the protection of Spain, the eastern under that of the United States. North of the Ohio, possession was to be determined as Great Britain and the United States decided.[77] Jay was justified in taking this paper as an authoritative expression of the policy of the French government.

Though insisting on the independence of the United States, Vergennes was for keeping them under European tutelage. He opposed American claims to the West and denied their validity. At the beginning of the French alliance in 1778 he had said that France insisted on independence only for the thirteen United States exclusive of any of the British possessions which had not revolted.[78] In a letter to Luzerne in September, 1779, he spoke of the pretended right of the United States to lands on the Mississippi.[79] In October, 1782, in the midst of the peace negotiations, he wrote to that minister that according to Congress the English charters extended the territory of the United States from the Atlantic Ocean to the "South Sea," and that Jay was urging this theory as the basis of negotiations. "Such folly," he said, "does not deserve to be seriously refuted. . . . . But I know, sir, all the extravagance of the American pretensions and theories."[80] Jay

[77] *Corresp. and Pub. Papers of John Jay,* Johnston's ed., II, 395 *et seq.;* Sparks, *op. cit.,* VIII, 156-160.

[78] Circourt, *Histoire de l'action commune de la France et de l'Amérique pour l'indépendance des États-Unis, par George Bancroft,* III, 310. "Nous ne demandons l'indépendance que pour les treize états de l'Amérique qui seront unis entre eux, sans y comprendre aucune des autres possessions anglaises qui n'ont point participé à leur insurrection."

[79] Doniol, *op. cit.,* IV, 357.

[80] Circourt, *op. cit.,* III, 290. "Suivant le Congrès, les chartes emanées de la couronne britanique étendent le domaine de l'Amérique depuis l'océan jusqu' à la mer du Sud. Tel est le système proposé par M. Jay pour base de sa négociation avec l'Espagne. Un pareil délire ne mérite pas d'être refuté serieusement. . . . . Au surplus, je ne vois pas à quel titre les Américains formeraient des prétensions sur les terrains qui bordent le lac Ontario. Ou ces terrains appartiennent au sauvages, ou ils sont une dépendance du

evidently had reason for suspicion of the hostility of France toward the westward extension of the United States. "This court," he wrote in September, 1782, "as well as Spain will dispute our extension to the Mississippi. . . . . Dr. Franklin does not see the conduct of this court in the light I do."[81] Franklin, indeed, could not bring himself to share Jay's well-grounded suspicions of the French government.[82] Livingston, likewise, though aware of Spanish designs on the West, did not believe that the French minister was opposed to the expansion of the United States.[83] Jay was convinced that France would oppose this extension and the free navigation of the Mississippi by the United States, and believed, moreover, that she would support British claims to the Northwest.[84]

On September 9, shortly after receiving Rayneval's memoir, Jay learned of the departure of its author for England. He suspected that the purpose of the Frenchman's mission was to impress Shelburne with the determination of Spain to possess the exclusive navigation of the Mississippi, and to suggest a partition of the West which would satisfy both Spain and England, leaving the territory north of the Ohio to the latter power.[85] On September 10, the American commissioners learned of an intercepted dispatch, written by Marbois, secretary of the French legation at Philadelphia, advising that the

Canada. Dans l'un ou l'autre cas, les États-Unis n'y ont aucun droit. Mais je connais, monsieur, toute l'extravagance des prétensions et des vues américaines."

[81] Sparks, *op. cit.*, VIII, 126.

[82] Moore, *op. cit.*, V, 687. Sparks thought Jay was mistaken in his suspicions of the French government, *Dip. Corresp. of Am. Rev.*, VIII, 208-212; but the evidence in the third volume of Circourt's work shows that he was not.

[83] Morton, *op. cit.*, *John P. Branch Hist. Papers*, I, No. IV, 321.

[84] Sparks, *op. cit.*, VIII, 160.

[85] For Rayneval's mission to England, see Circourt, *op. cit.*, III, 38 *et seq.* His purpose was to "sound" the British government on the conditions on which peace would be made with Spain, and particularly to urge the surrender of Gibraltar. Not much was really said about the American boundaries, *ibid.*, 46.

United States be excluded from a share in the fisheries.[86] This further aroused Jay, and he took a very important step.[87] Without Franklin's knowledge, he induced Benjamin Vaughan to return to England, in order to counteract influences which he believed were being brought to bear on Shelburne, to suggest a *separate* negotiation between England and the United States, and to show the premier that it was England's interest to break the French-American alliance.[88] Jay told Vaughan that the right of the United States to the West was proved by charters and "other acts of government." He declared himself ready to treat without prior acknowledgment of American independence, provided Oswald should receive a commission in which his country was referred to as the thirteen United States of America. This meant, of course, an abandonment of the instructions of Congress. Jay stood alone, for even now Franklin refused to believe that the destinies of the United States were not safe in Vergennes' hands.[89]

The information brought by Vaughan showed Shelburne that what he hoped for had come to pass: differences had arisen between France and the United States. The alterations in Oswald's commission necessary to meet Jay's requirements were quickly made, and a new one, authorizing him to treat with commissioners of the United States of America, was sent on September 24[90] and received early in October.[91]

Formal negotiations without the knowledge of the French minister were immediately begun between Oswald and the

[86] *Ibid.*, II, 226-227.

[87] Winsor, *Narrative and Critical History of America*, VII, 121-122.

[88] For the Vaughan mission, see Sparks, *op. cit.*, VIII, 165 *et seq.*; Fitzmaurice, *op. cit.*, III, 267. John Fiske, *Critical Period*, ch. I, considers this the crucial point in the negotiations. Fitzmaurice thinks that from this point on Jay predominated over Franklin, *Life of Shelburne*, III, 258.

[89] Moore, *op. cit.*, V, 687.

[90] Townshend to Oswald, 24 Sept., 1782, *Bancroft MSS.*, Peace Negotiations.

[91] Oswald to Townshend, 2 Oct., 1782, *Bancroft MSS.*, Peace Negotiations. For this commission to Oswald see Sparks, *op. cit.*, X, 80-83.

American commissioners,[92] for Franklin agreed to disregard his instructions so far as to conduct separate negotiations with the British government, though he continued to believe in the candor of Vergennes. On October 8 a series of articles was agreed upon by Oswald and the Americans,[93] less than a week after Congress had solemnly resolved that it would listen to no propositions for peace, unless they were discussed "in confidence and in concert" with the French government.[94] Franklin feared that these articles would not be satisfactory to the British government and this proved to be the case. The boundaries and the West were not so troublesome as the fisheries, treatment of the loyalists, and debts in America due British creditors. Oswald, though a man of intelligence and considerable information, was no match as a diplomat for the American commissioners. His handling of the Canada question had been anything but diplomatic. Instead of making the most of Rodney's great victory in May, as a means of securing better terms for England, he had made the astonishing statement that she must have peace, that her enemies might do as they pleased, but it was hoped that they would show magnanimity.[95] Much opposition to him was expressed in Shelburne's cabinet, where Richmond and Keppel, leaders of the party which was less inclined to peace, were especially bitter against him.[96] Nevertheless, he was retained by the ministry. Henry Strachey, however, was sent to join him as an additional envoy.

The repulse of the Spanish and French forces at Gibraltar in September naturally caused the English to expect more favorable terms. Strachey, therefore, was to induce

[92] Wharton, *op. cit.*, V, 748.

[93] *Ibid.*, 805 *et seq.*

[94] Sparks, *op. cit.*, X, 87-88.

[95] Wakeman, *op. cit.*, 75. Viscount Stormont, in criticizing the negotiations, declared that Oswald was outmatched by any one of the American commissioners, and described him as "a very extraordinary geographer and politician," *Parliamentary History of England,* XXIII, 397.

[96] Moore, *op. cit.*, V, 640; Rousseau, *op. cit.*, 486.

the Americans to modify their demands, and to urge England's claims to the trans-Alleghany country.[97] Shelburne may have felt that he had been too precipitate in conceding Franklin's "necessary" articles, he may have believed it politic to seem to abandon the West only as a great concession to the United States or he may have come to feel that the relinquishment of the whole West was too great an apparent surrender. There is preserved among his papers a letter written to him by an American Tory, which was received in September, pointing out the importance of the West, and saying that the cession of the Northwest to the United States would deprive England of the peltry trade, and render the part of Canada which was retained of small value.[98] At any rate, after the articles of October 8 had been rejected and Strachey dispatched to Paris, Shelburne took strong ground against the American claims to the West. "Independently of all the nonsense of charters," he wrote to Oswald, "I mean when they talk of extending as far as the sun sets, the soil is and has always been acknowledged to be the King's.[99] He suggested that the back lands might be used as a fund to compensate the loyalists for their losses. The commissioners later wrote to Livingston that the question of the West was discussed at length, and that the British commissioners advanced arguments for the retention of the whole province of Quebec as established by the act of 1774.[100]

About the time Strachey reached Paris, another of the American peace commissioners, John Adams, arrived to participate in making the treaty. Adams came fresh from a diplomatic triumph at the Hague, where he had succeeded in negotiating a treaty between the United States and Holland. Jay told him what he firmly believed, that France was not playing fair, and that it was her policy to give her Bourbon ally the West, the Mississippi, and the whole Gulf

[97] Fitzmaurice, *op. cit.*, III, 281.

[98] Lieutenant-Colonel Connolly to Shelburne, endorsed September, 1782, *Bancroft MSS.*, Peace Negotiations.

[99] Shelburne to Oswald, 21 Oct., 1782; *ibid.*

[100] Sparks, *op. cit.*, X, 117.

of Mexico. He at once sided with Jay and refused to consider that the instructions of Congress bound himself and his colleagues in all respects to the will of the French ministers.[101] In his opinion the instructions should be interpreted by "such restrictions and limitations as reason, necessity, and the nature of things demand."[102] There is not much doubt that a strict adherence to the letter of the instructions would have meant the loss of the West for the United States. Any designs which Spain might have formed for the acquisition of territory in America would be strengthened rather than weakened by the repulse which had recently been inflicted upon her forces before Gibraltar. It was now, indeed, out of her power to secure the recovery of that fortress, and she might reasonably be expected to look elsewhere for compensation. If the American commissioners were to secure the West and the Mississippi, "the nature of things" demanded a separate treaty with Great Britain. They must not be hampered by constant communication with a government which was supporting the policy of Spain and was hostile to the object they had in view. "Had I not violated the instructions of Congress," Jay wrote, "their dignity would have been in the dust."[103]

That Vergennes was opposed to the extension of the United States to the Mississippi has been shown. The ultimate policy of the French government respecting America is difficult to determine. Vergennes' position was not easy. France was at the head of a heterogeneous alliance, and was feeling severely the burdens imposed by the war. She needed peace. There was a feeling in Parisian circles that she had been duped by her allies[104] and that they would win the rewards which her exertions had made possible. She had agreed to further the territorial policy of Spain,

[101] Sparks, *op. cit.*, VI, 437.

[102] For Adams' "Journal of the Peace Negotiations," see Wharton, *op. cit.*, V, 845 *et seq.*

[103] Wharton, *op. cit.*, V, 810.

[104] Fitzherbert to Grantham, 3 Oct., 1782, *Bancroft MSS.*, Peace Negotiations.

and Spain was opposed to the possession of the West by the United States and was clamoring for exclusive control of the Mississippi. Vergennes' attitude can be explained without assuming that he had any designs on the West for his own country. But he was not the statesman in whose hands Congress should have placed the destinies of the United States.[105]

Another and radical view of French policy has been advanced in a striking article by Mr. F. J. Turner.[106] He calls attention to a document written in 1777, the authenticity of which, however, is doubtful. It is entitled "Mémoire Historique et Politique sur la Louisiane," and was written "par M. de Vergennes." If really written by the French minister, it would prove that he had in mind the reëstablishment of the colonial empire of France. In the "Mémoire" it is stated that the United States cannot rightfully claim the trans-Alleghany country on the basis of colonial charters, and it is proposed that Great Britain be obliged to restore to France at the close of the Revolution all the conquests she had made in the Seven Years' War. This revived colonial empire would involve the retrocession by Spain to France of Louisiana west of the Mississippi, a result which Vergennes actually tried to bring about.[107] It will be noticed, too, that the contention of the "Mémoire" respecting the invalidity of American claims to the West is in harmony with Rayneval's memoir, and Vergennes' views referred to above. Mr. Turner considers the subsequent conduct of Vergennes, after the date of the "Mémoire," as "entirely consistent" with the view that he was its author, and thinks that his anxiety to forward the interests of Spain between the Mississippi and the Alleghanies becomes more intelligible if we suppose that he expected France to supplant that power in the interior of

[105] For a temperate view of Vergennes' part in the peace negotiations, see McLaughlin, *The Confederation and the Constitution*, chs. I and II.

[106] "The Policy of France towards the Mississippi Valley in the Period of Washington and Jefferson," *Am. Hist. Rev.*, X, 249 *et seq.*

[107] *Ibid.*, 254.

North America. From this point of view, De la Balme's abortive attempt on Detroit[108] becomes part of a comprehensive scheme of French policy. Mr. Turner thinks that Napoleon's efforts to reconstruct a French colonial empire in America were along the lines planned by Vergennes. His supposition regarding the latter's ultimate policy is, however, conjectural. By the treaty of 1778, it should be remembered, the king of France renounced forever the possession of any territory in North America then or previously belonging to Great Britain. Whatever the ultimate policy of Vergennes may have been, his immediate intention certainly was to prevent the acquisition of the West by the United States.

Although in October, 1782, Shelburne showed a disposition to retain the West, he was not inclined to let the boundary question wreck the negotiations and lose the advantages which would come from a separate peace with the United States. After much deliberation and discussion a provisional treaty was signed at Paris on November 30,[109] by which the West, from the Alleghanies to the Mississippi, and from the Great Lakes to the 31st degree, north latitude, was secured by the United States. The American commissioners who participated in making the treaty were Jay, Franklin and Adams. Laurens arrived just in time to sign it. Jefferson did not go to France at all. This territory was not *ceded* to the United States, but was recognized as included within their boundaries. To save the conscience of the American commissioners, and to give them a technical defense against France, these provisional articles were "to be inserted in and to constitute the Treaty of Paris," but the treaty was not to be concluded till England and France made peace.[110] On December 5, the king's speech announced to Parliament that a provisional treaty had been made with the American commissioners.[111]

[108] *Supra,* ch. VI.
[109] Wharton, *op. cit.,* VI, 96 *et seq.*
[110] Fitzmaurice, *op. cit.,* III, 302.
[111] *Par. Hist. of Eng.,* XXIII, 206.

On November 29, Franklin wrote Vergennes that preliminary articles had been agreed upon with the British commissioners.[112] The French minister was naturally surprised. He felt that the American commissioners in violating their instructions had acted towards France in a manner both boorish and dishonorable.[113] He does not appear, however, to have been displeased that the terms were so favorable to the United States.[114] Franklin admitted that he and his colleagues had neglected a point of "bienséance," but asserted that they had concluded nothing that was prejudicial to France.[115] The truth is that the American commissioners and the English government had stolen a march on the Bourbon courts.

Historians have been puzzled to account for the very favorable terms secured by the Americans. So far as the acquisition of the West was concerned, the American claims, based upon colonial charters or the right of succession of the United States collectively to the sovereignty over the West previously vested in the British crown, probably counted for as little as theoretical claims usually do. Laughed at by European statesmen, they cannot explain why Shelburne's government abandoned the domain which England had wrested from France a few years before.

Another explanation has appealed strongly to a large number of writers. Clark's conquest and the establishment of Virginia government in the Northwest have frequently been pointed to as the decisive factor in the winning of that territory. Clark has been metamorphosed into a conscious empire-builder, and the state of Virginia represented as possessing in 1782 the entire territory from Lake Superior to the southern boundary of Kentucky.[116] Indeed, in the opinion of some of his contemporaries, Clark's work

[112] *Complete Works of Benjamin Franklin,* Bigelow's ed., VIII, 213.
[113] Moore, *op. cit.,* V, 654.
[114] Sparks, *op. cit.,* X, 120.
[115] *Com. Works of Franklin,* Bigelow's ed., VIII, 228, 234.
[116] Fiske, *Crit. Period,* 18; Lodge, *The Story of the Revolution:* New York, 1903, 337.

was an argument of great importance in favor of American claims to the Northwest.[117] But if this were really the case, we should surely encounter frequent mention of that work and the establishment of Virginia government in Illinois in the documents relating to the peace negotiations. This we do not find. It may be that the American commissioners intentionally refrained from referring to what had been done in the Northwest, for, as we have seen in the preceding chapter, the fair hopes aroused by Clark's conquest in 1778 had been dissipated, and Virginia's government in Illinois had utterly collapsed. The Americans in 1782 could scarcely with good grace argue the principle of "uti possidetis" as ground for claiming that territory.[118]

When we turn to the diplomatic situation confronting Shelburne, we find a more satisfactory explanation of his compliance with the American demands concerning the West. In Europe, France, Spain and Holland were at war with England. It was, of course, very much to his interest to make a speedy peace with the United States, which would place his government in a better position respecting its European enemies, and at the same time break the French-American alliance. We have seen how eager he was to open discussion with Franklin, how readily he accepted the latter's "necessary" articles, and how compliantly he met Jay's advances for a separate negotiation. He was willing to concede much for the sake of peace, and the American commissioners stood firm on the Mississippi

[117] Rowland, *op. cit.*, I, 365.

[118] Mr. Van Tyne naïvely argues thus, *American Revolution*, 284: "These posts [Vincennes, Cahokia, and Kaskaskia] were sufficient to insure the American hold upon the Northwest, until, in the peace negotiations of 1782, the military prowess of Clark was followed up by the diplomatic triumph of Jay. *Although no mention of Clark's work is found among the papers of the diplomats, yet the fact of possession must have had weight.*" The italics are mine. Mr. Van Tyne's statement is, of course, a mere conjecture. It would be indeed strange if the decisive factor in causing Great Britain to abandon the Northwest were not referred to in any of the documents. As a matter of fact, by 1782, the "American hold upon the Northwest" amounted to nothing.

boundary. To them, even more than to him, a separate treaty was of vital importance. In a general treaty it is difficult to see how they could have secured the West, to say nothing of other advantages; and from the point of view of later development, the acquisition of the West was, next to independence, the most important provision of the treaty. To Jay belongs the chief credit for putting in motion the train of events which ended in the attainment of this object. He deserves to be called, as John Adams called him, the hero of the negotiations.[119] Of Spanish designs on the Mississippi, Oswald, and, no doubt, Shelburne, believed that they had evidence, and the premier probably felt that a separate treaty which would give up the West to the United States was preferable to a general treaty which would abandon it to Spain.

There remains another consideration to explain the relinquishment of Illinois and the rest of the West by Great Britain. To me it seems the decisive factor in the case. The enjoyment and monopolization of the peltry trade was the leading object which Great Britain sought through her possession of that territory. In this purpose she had failed. Her chief motive for holding the country no longer existed. In a debate in the House of Lords in February, 1783, critics of the peace asserted that by the boundaries conceded to the United States Great Britain had lost the fur trade.[120] Shelburne, defending the treaty which his ministry had made, pointed out that the fur trade was not abandoned, but only divided. He placed the annual imports from Canada to England at only £50,000, and declared that the preservation of this import of £50,000 had cost England £800,000.[121] Secretary Townshend declared in the Commons that the possession of the Northwest had not been profitable.[122] "Suppose," said Shelburne, "the entire fur trade sunk into the sea, where is the detriment to this

[119] Sparks, *op. cit.*, VI, 501.
[120] *Par. Hist. of Eng.*, XXIII, 377, 381.
[121] *Ibid.*, 409.
[122] *Ibid.*, 465.

country? Is £50,000 a year imported in that article any object for Great Britain to continue a war of which the people of England by their representatives have declared their abhorrence?" Great Britain abandoned only that which it was unprofitable for her to retain.

APPENDIX.

A LIST OF THE SOURCES AND SECONDARY WORKS CITED.

NOTE: No attempt has been made to prepare an exhaustive bibliography.

ADAMS, H. B.—*Maryland's Influence in Founding a National Commonwealth.* Maryland Historical Society, Fund Publications, No. 11. Baltimore, 1877.

ALDEN, G. H.—*New Governments West of the Alleghanies before 1780.* Bulletin of the University of Wisconsin. Historical Series, II, No. 1. Madison, 1897.

ALVORD, C. W.—*Illinois in the Eighteenth Century.* Bulletin of the Illinois State Historical Library, I, No. 1. Springfield, 1905.

———*The Old Kaskaskia Records.* An address read before the Chicago Historical Society, 1906.

ALVORD, C. W. and CARTER, C. E.—*Invitation Sericuse aux Habitants des Illinois. By un Habitant des Kaskaskias. Reprinted in facsimile from the original edition published at Philadelphia in 1772.* Providence, 1908.

American Historical Review.

American State Papers, Documents Legislative and Executive of the Congress of the United States. Public Lands. Washington.

Annual Register. Sixth edition, London, 1810.

BANCROFT, GEORGE.—*History of the United States,* 6 vols. Boston, 1878.

Bancroft Manuscripts. New York Public Library.

BEER, G. L.—*British Colonial Policy, 1754-1765.* New York, 1907.

BENTON, E. J.—*The Wabash Trade Route in the Development of the Old Northwest.* Johns Hopkins University Studies in Historical and Political Science, XXI. Baltimore, 1903.

BOYD, C. E.—*The County of Illinois.* American Historical Review, IV.

BRODHEAD, J. R.—*Documents Relative to the Colonial History of the State of New York.* Edited by E. B. O'Callaghan, 15 vols. Albany, 1853-1887.

BROWN, H.—*The History of Illinois.* New York, 1844.

BRYMNER, D.—*Report on Canadian Archives,* 19 vols. Ottawa, 1882-1907.

BUTTERFIELD, C. W.—*History of George Rogers Clark's Conquest of the Illinois and the Wabash Towns, 1778 and 1779.* Columbus, 1904.

———*The Washington-Irvine Correspondence.* Madison, 1882.

Calendar of Virginia State Papers and other Manuscripts. Arranged and edited by W. P. Palmer, 11 vols. Richmond, 1875-1893.

CARTER, C. E.—*British Administration of Illinois.* MSS. Thesis. Awarded the Justin Winsor Prize of the American Historical Association for 1908.

CHITTENDEN, H. M.—*The American Fur Trade of the Far West,* 3 vols. New York, 1902.

CIRCOURT, LE COMTE ADOLPHE DE.—*Histoire de l'action commune de la France et de l'Amérique pour l'indépéndance des États-Unis, par George Bancroft, accompagné de documents inédits,* 3 vols. Paris, 1876.

CLARK, COL. GEORGE ROGERS.—*Sketch of his Campaign in the Illinois in 1778-1779, with an Introduction by Hon. Henry Pirtle and an Appendix.* Cincinnati, 1869.

COFFIN, V.—*The Province of Quebec and the Early American Revolution.* Bulletin of the University of Wisconsin. Economics, Political Science and History Series, vol. I. Madison.

Collections of the Illinois State Historical Library. Springfield.

Vol. II contains the recently discovered Cahokia Records.

Collections of the Massachusetts Historical Society. Fourth Series. Boston.

Collections of the New York Historical Society. New York.

Collections of the State Historical Society of Wisconsin. Madison.

COLLINS, L.—*History of Kentucky.* Edited by R. H. Collins, 2 vols. Covington, 1882.

DINWIDDIN, ROBERT.—*Official Records,* 2 vols. Collections of the Virginia Historical Society. New Series, III and IV.

DONIOL, H.—*Histoire de la Participation de la France à l'établissement des États-Unis d'Amérique,* 5 vols. Paris, 1886-1892.

DURAND, J.—*New Materials for the History of the American Revolution.* New York, 1889.

Emmet Manuscripts. New York Public Library.

ENGLISH, W. H.—*Conquest of the Country Northwest of the River Ohio, 1778-1783, and Life of Gen. George Rogers Clark,* 2 vols. Indianapolis and Kansas City, Mo., 1896.

Contains many important documents, including Clark's Memoir and Letter to Mason.

FARRAND, M.—*The Indian Boundary Line.* American Historical Review, X.

FERNOW, B.—*The Ohio Valley in Colonial Days.* Munsell's Historical Series, No. 17. Albany, 1890.

FISKE, J.—*The American Revolution,* 2 vols. Boston and New York, 1896.

———*The Critical Period of American History.* Boston and New York, 1888.

FITZMAURICE, LORD E.—*Life of William, Earl of Shelburne,* 3 vols. London, 1875-1876.

FORCE, P.—*American Archives.* Fourth and Fifth Series. Washington, 1837-1853.

FRANKLIN, BENJAMIN.—*Complete Works.* Compiled and edited by John Bigelow, 10 vols. New York and London, 1887-1888.

———*Works.* Edited by Jared Sparks, 10 vols. Boston, 1837-1844.

HALE, E. E. and E. E. JR.—*Franklin in France,* 2 vols. Boston, 1887-1888.

HENING, W. W.—*The Statutes at Large; being a Collection of all the Laws of Virginia from the first session of the Legislature in the year 1619,* 13 vols. 1823.

HENRY, W. W.—*Patrick Henry, Life, Correspondence and Speeches,* 3 vols. New York, 1891.

HINMAN, R. R.—*A Historical Collection from Official Records, Files, etc., of the Part Sustained by Connecticut during the War of the Revolution.* Hartford, 1842.

HOUCK, L.—*A History of Missouri,* 3 vols. Chicago, 1908.

HULBERT, A. B.—*Military Roads of the Mississippi Basin.* Historic Highways of America, vol. VIII. Cleveland, 1904.

Illinois Papers (*MSS.*); in the Virginia State Library.

Indiana Historical Society Publications. Indianapolis.

JAY, JOHN.—*Correspondence and Public Papers.* Edited by H. P. Johnston, 4 vols. New York, 1890-1893.

JEFFERSON, THOMAS.—*Writings.* Collected and edited by P. L. Ford, 10 vols. New York, 1892-1899.

Journals of the Continental Congress. Edited by W. C. Ford, 12 vols. Washington, 1904-1908.

LECKY, W. E. H.—*History of England in the Eighteenth Century.* 8 vols. London, 1878-1890.

MASON, E. G.—*Early Chicago and Illinois.* Chicago Historical Society Collections, IV. Chicago, 1890.

———*Chapters from Illinois History.* Chicago, 1901.

———*Kaskaskia and its Parish Records, Old Fort Chartres, and Col. John Todd's Record Book.* Fergus Historical Series, No. 12. Chicago, 1881.

———*John Todd, John Todd's Record Book, and John Todd Papers.* Fergus Historical Series, No. 33. Chicago, 1890.

MCLAUGHLIN, A. C.—*The Confederation and the Constitution.* American Nation, vol. X. New York and London, 1905.

Michigan Pioneer and Historical Society Collections. Lansing.

Missouri Historical Society Collections. St. Louis.

Moore, J. B.—*A Digest of International Law,* 8 vols. Washington, 1906.

Morton, R. K.—*Robert R. Livingston—Beginnings of American Diplomacy.* John P. Branch Historical Papers of Randolph-Macon College, vol. II.

O'Callaghan, E. B.—*The Documentary History of the State of New York.* 4 vols. Albany, 1850-1851.

Osgood, H. L.—*The American Colonies in the Seventeenth Century,* 3 vols. New York, 1904 and 1907.

Paine, Thomas.—*Writings.* Collected and edited by M. D. Conway, 4 vols. New York, 1894-1896.

Papers of the Continental Congress; in the Library of Congress.

Parliamentary History of England from the Earliest Period to the Year 1803 (Hansard), 36 vols. London, 1806-1820.

Pittman, P.—*Present State of the European Settlements on the Mississippi.* Reprint of the original edition, London, 1770. Edited by F. H. Hodder. Cleveland, 1906.

Pownall, T.—*Administration of the Colonies.* Second edition. London, 1765.

Ranck, G. W.—*Boonesborough.* Filson Club Publications, No. 16. Louisville, 1901.

Reynolds, J.—*The Pioneer History of Illinois.* Chicago, 1887.

Roosevelt, T.—*The Winning of the West,* 4 vols. New York and London, 1889.

Rousseau, F.—*La Participation de l'Espagne à la guerre d'Amérique.* Revue des Questions Historiques for 1902.

Rowland, K. M.—*The Life of George Mason,* 2 vols. New York and London, 1892.

Secret Journals of the Acts and Proceedings of Congress, 4 vols. Boston, 1821.

Sharpe, Governor H.—*Correspondence.* Archives of Maryland, vols. VI, IX and XIV. Baltimore.

Shepherd, W. R.—*The Cession of Louisiana to Spain.* Political Science Quarterly, XIX.

Sparks, J.—*The Diplomatic Correspondence of the American Revolution,* 12 vols. Boston, 1829-1831.

Spotswood, Alexander.—*Official Letters,* 2 vols. Collections of the Virginia Historical Society. New Series, I and II. Richmond, 1882, 1885.

Stevens, B. F.—*Facsimiles of Manuscripts in European Archives Relating to America, 1773-1783,* 24 vols. London.

Thwaites, R. G.—*France in America.* American Nation, vol. VII. New York and London, 1905.

———*How George Rogers Clark Won the Northwest and Other Essays in Western History.* Chicago, 1904.

THWAITES, R. G. and KELLOGG, L. P.—*Documentary History of Dunmore's War.* Madison, 1905.

———*The Revolution on the Upper Ohio.* Madison, 1908.

Transactions of the Illinois State Historical Society. Publications of the Illinois State Historical Library. Springfield.

TURNER, F. J.—*Western State Making in the Revolutionary Era.* American Historical Review, I.

———*The Policy of France toward the Mississippi Valley in the Period of Washington and Jefferson.* American Historical Review, X.

VAN TYNE, C. H.—*The American Revolution.* American Nation, vol. IX. New York and London, 1905.

———*Sovereignty in the American Revolution.* American Historical Review, XII.

WAKEMAN, H. O.—*Life of Charles James Fox.* London, 1890.

WEBSTER, PELATIAH.—*Political Essays on the Nature and Operation of Money, Public Finances and Other Subjects.* Philadelphia, 1791.

WHARTON, F.—*The Revolutionary Diplomatic Correspondence of the United States,* 6 vols. Washington, 1889.

WINSOR, J.—*Narrative and Critical History of America,* 8 vols. Boston and New York, 1889.

———*The Mississippi Basin.* Boston and New York, 1895.

———*The Westward Movement.* Boston and New York, 1897.

THE TRANSITION IN ILLINOIS FROM BRITISH TO AMERICAN GOVERNMENT

BY

ROBERT LIVINGSTON SCHUYLER, PH.D.

Instructor in History in Yale University

NEW YORK

THE COLUMBIA UNIVERSITY PRESS

1909